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**THESIS**

**THE REQUIREMENT FOR U.S. ARMY SPECIAL FORCES  
TO CONDUCT INTERROGATION**

by

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June 2012

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**THE REQUIREMENT FOR U.S. ARMY SPECIAL FORCES  
TO CONDUCT INTERROGATION**

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## **ABSTRACT**

Waterboarding, rendition, torture: each of these terms provides deeply negative examples of the mishandling of detainees by various entities of the United States government during the prosecution of the wars in Afghanistan and Iraq. In order to rectify these failures of the various systems within the U.S. military's detention framework, the Department of Defense (DoD) developed and issued Field Manual 2-22.3, *Human Intelligence Collector Operations*. This new doctrine has created restrictions that add unnecessary hours to the process of exploiting detainees through tactical interrogation. Due to the autonomous nature of their missions, the significance for U.S. Army Special Forces is immense.

Tactical interrogation is a legal, viable, and necessary method of information gathering on the battlefield. FM 2-22.3 has taken away USSF's capability to exploit an immense pool of intelligence that could be critical in the current conflicts. This thesis explores the limitations imposed by current doctrine and discusses changes necessary to provide the skills, training, and legal authorities that will allow Special Forces to use every appropriate resource to be successful on the modern battlefield. Recommendations are provided regarding training and doctrine to provide the proper authorities along with appropriate checks and balances.

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## TABLE OF CONTENTS

I.	INTRODUCTION .....	1
A.	OVERVIEW .....	1
1.	A History of Interrogation in Warfare .....	4
2.	Current Doctrinal Inadequacies .....	7
3.	The Growing Need for Intelligence and the Restrictions Placed on Obtaining It .....	10
B.	PURPOSE .....	11
C.	METHODOLOGY .....	13
D.	CHAPTER OUTLINE .....	13
II.	THE REQUIREMENT FOR INTERROGATION IN THE IRREGULAR ENVIRONMENT .....	15
A.	INTRODUCTION .....	15
B.	CONFRONTING THE CHANGING THREAT .....	16
C.	THE REQUIREMENT FOR TACTICAL INTERROGATION .....	20
D.	TIME AND FLEXIBILITY .....	23
E.	SEPARATING OURSELVES FROM TORTURE .....	26
F.	CONCLUSION .....	30
III.	WHY SPECIAL FORCES? .....	33
A.	INTRODUCTION .....	33
B.	WHY SF? .....	33
1.	The Mission .....	35
a.	The SF Mission of Unconventional Warfare (UW) .....	36
b.	The SF Mission of Foreign Internal Defense (FID) .....	39
2.	The Men .....	40
C.	UNLEARNING WHAT WE THINK WE KNOW .....	41
D.	CONCLUSION .....	44
IV.	CASE STUDIES .....	45
A.	INTRODUCTION .....	45
B.	COL STUART A. HARRINGTON .....	46
C.	AN ODA'S ABILITY TO SEIZE UPON OPPORTUNITY .....	48
D.	THE COST OF INSUFFICIENT TRAINING .....	52
E.	AN ODA'S OPPORTUNITY LOST TO INADEQUATE TRAINING ..	56
V.	CONCLUSION .....	59
A.	BEGIN WITH U.S. ARMY SPECIAL FORCES .....	60
B.	TRAINING .....	61
1.	Training Internal to SF .....	62
2.	Training Outside of SF .....	63
C.	THE ROAD AHEAD .....	64

LIST OF REFERENCES .....	67
APPENDIX A. FM 2-22.3, CHAPTER 1 .....	71
APPENDIX B. EXECUTIVE ORDER 13491-ENSURING LAWFUL INTERROGATIONS .....	87
APPENDIX C. WITHOUT TORTURE BY HANNS SCHARFF .....	93
APPENDIX D. "SUGGESTIONS FOR JAPANESE INTERPRETERS BASED ON WORK IN THE FIELD" BY SHERWOOD MORAN .....	107
INITIAL DISTRIBUTION LIST .....	115

## LIST OF ACRONYMS AND ABBREVIATIONS

CIA	Central Intelligence Agency
CNT	Counter-Narcotics Terrorism Mission
COMINT	Communications Intelligence
DoD	Department of Defense
ERB	Emergency Response Battalion
FID	Foreign Internal Defense
FM	Field Manual
FOB	Forward Operating Base
HIG	Highvalue Interrogation Group
HMMWV	High Mobility Multi-Wheeled Vehicle
HUMINT	Human Intelligence
IED	Improvised Explosive Device
IMINT	Imagery Intelligence
IP	Iraqi Police
IRA	Irish Republican Army
JCET	Joint Combined Exchange Training
MATA	Military Assistance Training Advisor
ODA	Special Forces Operational Detachment-Alpha
OEF	Operation Enduring Freedom
OIF	Operation Iraqi Freedom
POW	Prisoner of War
SERE	Survival, Evasion, Resistance, Escape
SF	U.S. Army Special Forces
SIGINT	Signals Intelligence
SOF	Special Operations Forces
SWAT	Special Weapons and Tactics Unit
TSCP	Theater Security Cooperation Plan
TECHINT	Technical Intelligence
TQ	Tactical Questioning
USMC	United States Marine Corps
USSOCOM	U.S. Special Operations Command
UW	Unconventional Warfare

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## I. INTRODUCTION

### A. OVERVIEW

Waterboarding, rendition, torture: these terms are synonymous with debates over the mishandling of detainees by various entities of the United States government during the prosecution of the wars in Afghanistan and Iraq. In order to improve the failures and weaknesses of processing and handling detainees within the U.S. military's detention system, the Department of Defense (DoD) developed and issued Field Manual 2-22.3 *Human Intelligence Collector Operations*. In January 2009, the new field manual became more than military doctrine. It became the law of the land through the signing of Executive Order 13491-Ensuring Lawful Interrogations which highlighted the new field manual as the single point of reference for any U.S. government agency conducting interrogation. This new doctrine is an over-correction that obstructs units at the tactical level from acquiring the intelligence needed for success in the current irregular conflict.

Tactical interrogation is a legal, viable, and necessary method of information gathering on the battlefield. The new manual specifically restricts the authority to interrogate enemy detainees to a very small number of U.S. personnel. Because of their small number, these personnel are posted only at major bases, often over 100 miles—six hours by road—from the point of capture. The requirement to move detainees to these specific personnel for exploitation takes valuable time that allows the

detainee to recover from the shock of capture, resulting in a heightened state of awareness and an increased resistance to questioning. Timeliness is critical to the information the detainee possesses. Information decreases in value the older it becomes, and FM 2.22-3 has created restrictions that add unnecessary hours to the process of gathering and exploiting detainees through interrogation.

The significance of this for U.S. Army Special Forces (USSF) is immense. Special Forces soldiers are on the front lines of numerous conflicts around the globe, gathering human intelligence (HUMINT). By virtue of their training in the language, the ethnography, and the history of various regions, USSF personnel possess a better understanding of the operational environment than any other element of the DoD. Consequently, there is pressure for USSF personnel to provide timely intelligence gained firsthand on the battlefield. USSF work in small, autonomous units with the requirement to be operationally self-sufficient in all areas to include all available resources of HUMINT collection capability. Inadvertently, FM 2-22.3 has taken away USSF's authority to gather and exploit a vast pool of information and intelligence that could be critical in the conduct of the current struggle against terrorism and fundamentalism.

The U.S. government needs detailed information about its adversaries, as well as a strategic and ethnographic understanding of how the information fits together.<sup>1</sup> HUMINT is particularly critical in irregular warfare, but U.S.

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<sup>1</sup> Robert Coulam, "Approaches to Interrogation in the Struggle against Terrorism: Considerations of Cost and Benefit," in *Educating Information-Interrogation: Science and Art*, ed. Robert Fein (Washington, DC: National Defense Intelligence College, 2006), 8.



HUMINT networks are often weakest precisely in the regions where terrorist and insurgent organizations that threaten U.S. national interests tend to thrive. The effective use of appropriate interrogation methods by USSF in these regions could provide a substantial increase in the amount of reliable intelligence available at the tactical, operational, and strategic levels of conflict. USSF is focused on working by, with, and through indigenous populations and is regionally aligned around geographical and cultural areas of focus. These factors put USSF in a critical position to gather critical information. Their inherent understanding of different populations provides vital information important to commanders and decision makers at all levels of conflict. Unfortunately, the new doctrine presented in FM 2-22.3 denies USSF the capability of gaining needed intelligence requirements through the use of interrogation.

Some will argue that the current FM 2-22.3 doctrine has improved interrogation operations within Iraq and Afghanistan. However, the maturity of these theaters lies in stark contrast to the potentially austere and rapidly changing environments that USSF will face during future operations. These ambiguous environments are the specific reason that USSF must be provided a clear, concise policy granting the authority to conduct interrogation operations around the globe. The vast uncertainty of irregular operational environments alone highlights the need for this clarity of policy. The U.S. government cannot afford to simply hope USSF soldiers will correctly interpret the obscure laws and shifting intents regarding interrogation during the conduct of combat operations across the globe.

Failure to grant these authorities and provide the necessary doctrine and training contradicts the expectation for increased actionable intelligence. This not only wastes the abilities of USSF operators, it is invites potential detainee abuses.

## **1. A History of Interrogation in Warfare**

Interrogating prisoners for intelligence is as old as the practice of warfare itself. Example after example lie within the books of martial history where intelligence gained through interrogation shifted the outcome of battles, campaigns, and wars. Information gathered from the interrogations of captured Hittite spies saved Pharaoh Ramesses II's ancient Egyptian army at Kadesh in 1274 BC.<sup>2</sup> The Romans were able to erase the threat of a Carthaginian conquest of Rome at the battle of the Metaurus River when Gaius Claudius Nero learned of Hasdrubal's plan to join forces with his brother Hannibal through the interrogation of captured Carthaginian couriers during the Second Punic War.<sup>3</sup>

The importance of intelligence gained from interrogations has been highlighted by military strategists throughout history. Sun Tzu stresses that: "What is called 'foreknowledge' cannot be elicited from spirits, nor from

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<sup>2</sup> Francis Dvornik, *Origins of Intelligence Services: The Ancient Near East, Persia, Greece, Rome, Byzantium, the Arab Muslim Empires, the Mongol Empire, China, Muscovy* (Camden, NJ: Rutgers University Press, 1974), 12-14.

<sup>3</sup> David Kahn, *Hitler's Spies: German Military Intelligence in World War II* (New York: Macmillan, 1978), 27.

gods, nor by analogy with past events, nor from calculations. It must be obtained from men who know the enemy situation."<sup>4</sup>

Swiss General Henri Jomini describes the interrogation, along with a system of espionage and reconnaissance, as one of the most reliable sources of intelligence available to commanders.<sup>5</sup> He goes on to stress that interrogation of prisoners can yield positive results only when conducted by intelligent personnel "who can so frame their questions as to elicit important information."<sup>6</sup> Generals Sheridan, McClellan, and Meade shared this view as evidenced through their personal involvement in the systematic and thorough examination of captured prisoners during the American Civil War.<sup>7</sup>

After 4,000 years of warfare, the wars of the twentieth century brought about a paradigm shift that would forever alter the importance of intelligence and the role of interrogation. By dividing intelligence into two categories, David Kahn illustrates that physical intelligence is derived from things (i.e., bodies of troops, the sound of artillery) and verbal intelligence is derived from words (i.e., a report on enemy morale, an intercepted order). Understanding the differences and the interconnectedness of the two provides for intelligence supremacy. Prior to World War I, physical intelligence provided the preponderance of

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<sup>4</sup> Sun Tzu, *The Art of War* (Oxford: University Press, 1963), 145.

<sup>5</sup> Michael Handel, *Masters of War: Classic Strategic Thought* (London: Routledge, 2001), 249.

<sup>6</sup> Baron Antoine Henri de Jomini, *The Art of War* (London: Stackpole Books, 1992), 270.

<sup>7</sup> Steven M. Kleinman, "The Promise of Interrogation v. the Problem of Torture," *Valparaiso University Law Review* 43 (2009): 1580.

intelligence for leaders in conflict. During the "Great War," conditions shifted to foster collection of verbal intelligence—specifically prisoner interrogations. Verbal intelligence was now more important than physical because it gave commanders time -time to prepare, time to react, time to plan.<sup>8</sup>

The increasing value placed on verbal intelligence by the end of World War I vaulted interrogation to a new level. This resulted in the development of successful American, British, and German interrogation programs during World War II that demonstrated the potential treasure trove of information that can be obtained from the systematic, outcome-oriented approach to interrogation that relied far more on finesse than on force.<sup>9</sup> After the war, the world became focused on nuclear conflict and the Cold War shifting intelligence priorities again to the physical—monitoring massed forces and counting ICBM sites through satellites and signal technology. The potential for interrogation as a source of intelligence became "lost in the shadows" of the various new disciplines of TECHINT.<sup>10</sup> Unfortunately, the failures of the sophisticated technologies in weapons and intelligence to appropriately counter the enemy in irregular conflicts, such as Vietnam and Somalia, were ignored by a system designed to fight conventional wars between nations. As the United States entered the wars in Afghanistan and Iraq, the reports of abuses at Abu Ghraib, Guantanamo Bay,

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<sup>8</sup> Kahn, *Hitler's Spies*, 40.

<sup>9</sup> Kleinman, "The Promise of Interrogation v. the Problem of Torture," 1587.

<sup>10</sup> Kleinman, "The Promise of Interrogation v. the Problem of Torture," 1578.

and various "rendition" sites served as the impetus for a long-overdue examination of the role of interrogation as a necessary and critical instrument in the current irregular fight and the importance of meshing HUMINT with TECHINT.<sup>11</sup>

## **2. Current Doctrinal Inadequacies**

Previous to the release of FM 2-22.3 in September 2006, the U.S. Army operated under FM 34-52 *Intelligence Interrogation* (original release May 1987, revised September 1992). Arguably a reasonable reference for interrogation of a conventional enemy on a conventional battlefield, FM 34-52 was based on methods designed around experiences from World War II and the Cold War. It targeted the interrogation of large groups of young enemy soldiers with limited information and life experience by U.S. soldiers who were likewise young, with limited experience. Interrogations would occur at various levels starting at the brigade level and ending in a theater-level POW camp. While FM 34-52 is criticized for being "too Cold War" in application, one of its primary strengths was that it provided a basic framework for battlefield interrogation by any soldier. It did not limit the authority of most soldiers at the tactical level of the battlefield to conduct interrogation.<sup>12</sup> The following excerpt from FM 2-22.3 demonstrates that the new doctrine has removed this authority:

Interrogations may only be conducted by personnel trained and certified in the interrogation

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<sup>11</sup> Kleinman, "Interrogation v. Torture," 1578.

<sup>12</sup> James A. Stone, David P. Shoemaker, and Nicholas R. Dotti, *Interrogation: World War II, Vietnam, and Iraq* (Washington DC: National Defense Intelligence College, 2008), 166.

methodology, including personnel in MOSs 97E, 351M (351E), or select others as may be approved by DOD policy.<sup>13</sup>

The basis for this doctrine grew from the investigations that were conducted in the wake of the prisoner abuses that took place at Abu Ghraib prison in late 2003. These investigations found the conditions that allowed for the abuse of the detainees were created by a lack of clear policy that was amplified by outdated doctrine and continually changing memorandums. The doctrine guiding interrogators and soldiers did not address many of the most difficult situations soldiers were repeatedly faced with on the ground.<sup>14</sup>

The Independent Panel on DoD Detention Operations, chaired by former Secretary of Defense and Director of Central Intelligence James Schlesinger, conducted and produced the most thorough report to date on detention and interrogation operations taking place in Iraq (Operation Iraqi Freedom, OIF) and Afghanistan (Operation Enduring Freedom, OEF). Released in August 2004, the panel states in its findings, "The current doctrine and procedures for detaining personnel are inadequate to meet the requirements of these [OIF/OEF] conflicts" based on the "vastly different circumstances in these conflicts."<sup>15</sup> The DoD addressed this issue in April 2005 with the announcement that a new interrogation manual would be produced to replace FM 34-52.

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<sup>13</sup> FM 2-22.3 *Human Intelligence Collector Operations*, paragraph 1-20, 1-8.

<sup>14</sup> Stone, et al., *Interrogation*, 164.

<sup>15</sup> *DoD Detention Operations Panel*, 53.

Unfortunately, during the 18 months it took the pentagon to produce FM 2-22.3 *Human Intelligence Collector Operations*, the vast majority of the findings from the investigations of 2004 that dealt with operations at the tactical level were not implemented. Recommendations for "more specialists for detention/interrogation operations" to include linguists, interrogators, and human intelligence, along with the need to "place special and early emphasis on detention operations during Counter-Insurgency campaigns and Stability Operations in which familiar concepts of front and rear areas may not apply," were simply not included within the new doctrine.<sup>16</sup> Rather than outlining or detailing doctrine that could be used by tactical units to adapt standard operating procedures regarding the detaining of individuals for intelligence during irregular warfare, the new manual was overly specific and inflexible dictating that a very small number of specially trained and certified individuals were the only personnel authorized to conduct interrogation operations.<sup>17</sup> While the interrogation schools operated by the U.S. Army and Marine Corps continue to produce interrogators who are highly skilled in the fundamentals of tactical interrogations to effectively gather intelligence and information, the schools just cannot produce enough graduates to fill the need for interrogation skills at the lowest tactical levels. This strict definition took away the capability of almost every tactical level soldier to gain intelligence and information including USSF beyond the limited capacity of immediate tactical

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<sup>16</sup> DoD Detention Operations Panel, 90.

<sup>17</sup> FM 2-22.3 *Human Intelligence Collector Operations*, paragraph 1-20, 1-8.

questioning. None of the investigations cited tactical level units detaining individuals as being the root of abuse or mistreatment.<sup>18</sup> Yet even with data demonstrating a similar level of abuse between units trained and untrained in detention and interrogation operations, the new doctrine excludes all untrained soldiers from conducting these operations. Additionally, the recommendation of implementing "a professional ethics program that would equip soldiers with a sharp moral compass for guidance in situations often riven with conflicting moral obligations" for "all personnel who may be engaged in detention operations, from point of capture to final disposition."<sup>19</sup> Four years later, there is still no doctrine that addresses training USSF (or infantrymen) for detention and/or interrogation operations. While the adverse effects this has had on operations within Iraq and Afghanistan are visible, the restrictions are highlighted even more so in the irregular environments where USSF operates elsewhere.

### **3. The Growing Need for Intelligence and the Restrictions Placed on Obtaining It**

The need for HUMINT has dramatically increased in the new threat environment of asymmetric warfare.<sup>20</sup> National leaders and military commanders consistently turn to USSF for actionable intelligence against enemy targets and credible information regarding regional "atmospherics." At no point in the foreseeable future will this change, as the United States faces widely dispersed terrorist and insurgent

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<sup>18</sup> Stone, et al., *Interrogation*, 165.

<sup>19</sup> DoD Detention Operations Panel, 91.

<sup>20</sup> DoD Detention Operations Panel, 64.



networks that cannot be identified simply through monitoring training sites and equipment concentrations via signal or imagery intelligence.<sup>21</sup> However, because of decisions made to limit interrogation to "certified personnel," based on what appears to be the fear of potential detainee abuse, a vast source for gathering information and intelligence has been placed "off-limits" to USSF.

In 2004, the Independent Panel to Review DoD Detention Operations released its findings and, regrettably, the doctrine put into place by FM 2-22.3 contradicts the panel's findings in multiple areas. The panel found that there was a shortfall of properly trained human intelligence personnel to do tactical interrogation at all levels, and qualified interrogators were in short supply at larger detention centers.<sup>22</sup> In its final recommendations, the panel states, "The nation needs more specialists for detention/interrogation operations," and yet the doctrine put forth within FM 2-22.3 specifically labels thousands of potential HUMINT collectors as being unauthorized to conduct this task.<sup>23</sup> Where FM 34-52 allowed for all soldiers to conduct interrogations according to the standards of international law, the pendulum has now swung too drastically in the opposite direction.

## **B. PURPOSE**

Any discussion of interrogation must begin with the simple reality that its purpose is to gain reliable

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<sup>21</sup> *DoD Detention Operations Panel*, 64.

<sup>22</sup> *DoD Detention Operations Panel*, 63.

<sup>23</sup> *DoD Detention Operations Panel*, 90.

intelligence that will help protect the United States, U.S. forces, and U.S. interests abroad.<sup>24</sup> Even the notorious *KUBARK Counterintelligence Interrogation Manual*, produced by the CIA in 1963, defines interrogation as, "no more than obtaining needed information through responses to questions."<sup>25</sup> The purpose of this thesis is not to debate the definition of torture, or detainee rights commonly attached to discussions on interrogation, but to examine the role of interrogation as a critical tool in the current irregular conflict and to highlight the shortcomings of interrogation doctrine and policy specifically for USSF soldiers (and arguably other soldiers) and to demonstrate the need for USSF to receive interrogation training based on their doctrinally assigned core missions of unconventional warfare (UW) and foreign internal defense(FID). It is because of these irregular core missions, which are specific to USSF, that interrogation must become an organic skill to the Special Forces. While the need for tactical interrogation exists within conventional units, the skills and authorities required could be supplemented if these units were placed within an irregular conflict on a case by case basis. The need for USSF Soldiers to conduct interrogation based on mission requirements currently exists around the globe. The inability of USSF to hold and interrogate detainees adversely affects the collection of reliable, actionable intelligence.

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<sup>24</sup> Department of Defense, *Final Report of the Independent Panel to Review DoD Detention Operations* (Washington, DC: GPO, 2004), 61.

<sup>25</sup> Central Intelligence Agency, *KUBARK Counterintelligence Interrogation* (Washington DC: 1963), 1, <http://www.gwu.edu/~7Ensarchiv/NSAEBB/NSAEBB122/CIA%20Kubark%201-60.pdf> (accessed 1 March, 2011.)

## **C. METHODOLOGY**

The necessity of USSF to possess the authority and receive training to conduct interrogations will be presented based on their mission, the exercises and operations they conduct, and the variations and types of enemy currently being faced. Various DoD reports will also be used to emphasize some shortfalls in U.S. interrogation doctrine and practices that address the inadequacies of the current doctrine. Case studies will be used to support the identified need for USSF to gain the training and authority to conduct interrogations. These cases will provide insight how current doctrine, policy, and a lack of proper training have handicapped the tactical level intelligence gathering of USSF.

## **D. CHAPTER OUTLINE**

Chapter II will highlight the need for USSF to possess interrogation skills, and the authority to use those skills in order to accomplish current doctrinal missions. Chapter III provides several case studies that serve to illuminate the need for USSF to receive the necessary training and authority to conduct tactical interrogation. These studies provide insight as to how current doctrine, policy, and lack of training have handicapped tactical level intelligence collection by USSF. Acknowledging the fact that the requirement for USSF to collect information will only increase, Chapter IV provides recommendations to alter current doctrine and authorities to provide the skills and training to facilitate USSF success on the modern irregular battlefield. Interrogation should be introduced to the SF

Qualification course, select personnel should receive additional training and certification upon arrival at the operational groups, and doctrine should be altered to provide authority for USSF to conduct interrogation with appropriate checks and balances.

## II. THE REQUIREMENT FOR INTERROGATION IN THE IRREGULAR ENVIRONMENT

### A. INTRODUCTION

There is no doubt that the scandal surrounding the treatment of prisoners of Abu Ghraib was a turning point for the United States. The public reaction forced national leaders to discuss the issues of prisoner detention and interrogation they had previously avoided addressing. It brought into focus the consequences of mishandling detainees and intelligence by various entities of the U.S. government during the prosecution of the conflicts following Al Qaeda's attack on America in 2001. In order to remedy these failures and weaknesses of the various systems within the U.S. military's detention framework, the DoD developed and issued new doctrine in FM 2-22.3 *Human Intelligence Collector Operations*. Highly restrictive in nature, this new doctrine severely limited the ability of all tactical units to gather HUMINT through interrogation at a time when these units were facing an ever-increasing irregular form of conflict.

The primary threat facing the United States has changed significantly since September 11, 2001. It is now irregular in nature and requires a fundamental reexamination of how intelligence is collected.<sup>26</sup> In irregular warfare, the U.S. government needs detailed operational information about its adversaries as well as a deep strategic and cultural understanding of how the information fits together within a

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<sup>26</sup> DoD Detention Operations Panel, 64.

larger mosaic.<sup>27</sup> HUMINT is critical in irregular warfare, but U.S. HUMINT networks are commonly weakest precisely in the regions where terrorist and insurgent organizations that threaten U.S. national interests tend to thrive. Information derived from interrogations is a vital component of HUMINT.<sup>28</sup> USSF are designed to operate and thrive in the irregular environment. Unlike conventional units, it is their "normal." The use of interrogation by USSF in these regions would provide a substantial increase in the amount of reliable and actionable information available at the tactical, operational, and strategic levels of conflict.

#### **B. CONFRONTING THE CHANGING THREAT**

Terrorists and insurgents present new challenges to the United States because the variations in their organizational structures, methods of communication, and operational methodology differ significantly from the conventional threats the national security apparatus was designed to identify and defeat. Groups are decreasingly bound to a single geographic location or state and operate utilizing methods that make them difficult to observe and penetrate.<sup>29</sup> This new threat has highlighted the increased need for the HUMINT capabilities at the tactical level. To understand the criticality of HUMINT in the United States' current struggle, the nature of the threat and conflict the nation is facing now and will likely face in the future must be understood.

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<sup>27</sup> Coulam, "Interrogation in the Struggle against Terrorism," 8.

<sup>28</sup> DoD Detention Operations Panel, 64.

<sup>29</sup> DoD Detention Operations Panel, 64.

Simply by comparing their definitions, one can identify the important difference in the nature of conventional and irregular warfare. One is focused on open conflict to defeat an enemy's military forces; the other seeks to gain control and influence over a target population. Where an enemy can be defeated simply through an efficient application of overwhelming firepower on the conventional battlefield, irregular warfare requires the altering of the political variables among the target population to the point where the enemy becomes ineffectual.<sup>30</sup> This does not require defeat of an enemy through attrition, but requires an understanding of the population to gain the trust and cooperation of the population on which the enemy relies on for survival. Because irregular warfare remains the weapon of the weak, military action to defeat them does not pose the challenge in this type of conflict.<sup>31</sup> The problem of defeating an irregular enemy consists largely in finding him.<sup>32</sup> Understanding the differences in the nature of these two forms of warfare highlights the alterations that must take place within the U.S. intelligence system for success.

Intelligence is required for success in all forms of warfare. Yet, because it is the decisive factor in conducting irregular operations, intelligence's role increases in importance in this type of environment.<sup>33</sup> On

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<sup>30</sup> Edward N. Luttwak, "Notes on Low-Intensity Warfare," *Parameters* XIII (1983): 16.

<sup>31</sup> Lewis H. Gann, *Guerrillas in History* (Stanford: Hoover Institution Press, 1971), 91.

<sup>32</sup> Frank Kitson, *Low Intensity Operations: Subversion, Insurgency, Peace-keeping* (Great Britain: Stackpole Books, 1971), 95.

<sup>33</sup> Mao Tse-tung, *On Guerrilla Warfare* (New York: Praeger Press, 1961), 22.

the conventional battlefield, intelligence is often based primarily on technical intelligence, focused on monitoring massed forces and equipment at known military locations.<sup>34</sup> While this is effective against an opponent operating conventionally in a relatively linear manner, it lacks effectiveness in irregular warfare. Irregular warfare is fought by an unconventional enemy who strikes at a time and location of his choosing when the likelihood of success is weighted heavily in his favor.<sup>35</sup> These enemies operate through widely dispersed networks. While the irregular enemy appears, at first glance, to have the tactical advantage, further inspection demonstrates this advantage comes instead from his informational superiority. This underscores the importance of intelligence in irregular warfare. Once the enemy is identified, it becomes a comparatively simple matter to dispose of him.<sup>36</sup> Yet, with all of the United States' superiority in military technology and weaponry, the most vital weapon in the U.S. arsenal might be interrogation.<sup>37</sup>

Accordingly, the problem of defeating an irregular foe lies primarily in finding him. Thus, the importance of good intelligence and information cannot be overstated and often the only source of that information lies with the enemy himself.<sup>38</sup> Moreover, the nature of the irregular foe means

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<sup>34</sup> DoD Detention Operations Panel, 64.

<sup>35</sup> Mao, *On Guerrilla Warfare*, 22.

<sup>36</sup> Kitson, *Low Intensity Operations*, 95.

<sup>37</sup> Mark Bowden, "The Dark Art of Interrogation," *The Atlantic Monthly Online*, October 2003, URL: <http://www.theatlantic.com/magazine/archive/2003/10/bowden/2791/>, accessed 28 May 2011.

<sup>38</sup> Kitson, *Low Intensity Operations*, 95.



the potential intelligence is also highly perishable. While massed forces require time to redeploy, guerrillas or insurgents can seem to vanish in seconds. Intelligence must come from the local population and the combining of that intelligence with information derived from interrogations of high- and low-level detainees is an important component of HUMINT.<sup>39</sup> Information gained from the population assists in understanding the operational environment. This is a significant difference between conventional and irregular warfare because a piece of information that is meaningless in conventional warfare, such as a local civic leader's personal relationships, can be essential to gaining the support of a specific population.

In irregular warfare, the understanding of a population's mentality is arguably more important than understanding the enemy's disposition. The prospects of an insurgent group or terrorist network depend upon the attitude of the population. The willingness of a population to aid the enemy by providing information and supplies, or by withholding information from the counterinsurgent is paramount.<sup>40</sup> Gaining an accurate understanding of an operational area's historical, political, and economic matters will allow for success because an irregular enemy can only survive with the support, passive, active, or coerced, of the masses.<sup>41</sup> HUMINT is a resource that should be used to gain and confirm an accurate knowledge and understanding of these subjects. Interrogation conducted at

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<sup>39</sup> DoD Detention Operations Panel, 64.

<sup>40</sup> B. H. Liddell Hart, *Strategy* (New York: Praeger, 1967), 378.

<sup>41</sup> Hart, *Strategy*, 379.

the point of capture, would provide better military information along with critical aspects of political, economic, technical information about the enemy and local population.<sup>42</sup> This intelligence and information assists in separating the population from the enemy resulting in the population feeling secure enough to provide additional information. Therefore, proper interrogation at the lowest level combined with information gained through other means of HUMINT is critical to gaining popular support. Information superiority will bring victory and that can only be obtained through a constant and consistent interaction with all components of the local population.

In his writings, Mao states that "the army must become one with the people so that they see it as their own army." Debriefing is one tool that allows for this interaction to take place with a friendly or neutral population. Interrogation is another tool that allows for that same interaction with a hostile population. Unfortunately, at a time when the current conflict requires additional HUMINT to accurately identify and illuminate the enemy at the local level in order to most effectively separate them from the population, the doctrine presented in FM 2-22.3 denies the vast majority of U.S. soldiers the capability and authority to do so.

### **C. THE REQUIREMENT FOR TACTICAL INTERROGATION**

The unique aspect of interrogation that sets it apart from other means of intelligence collection is that it allows for the gathering of intelligence through direct and

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<sup>42</sup> Kleinman, "Interrogation v. Torture," 1583.

continuous contact with the enemy.<sup>43</sup> It does not require interpretation of images or codes. It does not require humans to deduce the supposed meanings and importance of passively collected information. Interrogation provides the opportunity to determine exactly what was meant by a certain phrase in response to a question. Any uncertainties from questioning, and other questions that flow from the responses, can be addressed directly and immediately by the individual being interrogated.

The feeling of omniscience provided throughout the Cold War and since by the imagery, signal, and communications intelligence assets available to the United States today has decreased the importance of gaining HUMINT through interrogations in some circles. Despite the lack of these technologies in World War II, many commanders even then failed to see the benefit of tactical interrogation on the battlefield, especially in the Pacific Theater. Early in the war, U.S. units captured very few enemy POWs. Commanders were reluctant to risk their men simply to capture Japanese soldiers—soldiers they were convinced would never disclose valuable intelligence.<sup>44</sup> Through a slow process led by U.S. military interrogators within the tactical units, commanders began to realize the advantage that information taken from prisoners provided them on the battlefield.

One of the most successful interrogators in the Pacific theater, Major Sherwood Moran, USMC, wrote of his experiences as an interrogator (he preferred the term "interviewer") on Guadalcanal that, "we snatched prisoners

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<sup>43</sup> Kleinman, "Interrogation v. Torture," 1585.

<sup>44</sup> Stone et al., *Interrogation: WWII, VN, and Iraq*, 71.

right off the battlefield while still bleeding, and the snipers were still sniping, and interviewed them as soon as they were able to talk."<sup>45</sup> Moran dispelled the standard U.S. attitude of the day that only the most severe coercive measures of interrogation would convince a captured Japanese soldier to divulge information. Moran believed "strong-arm tactics simply did not work."<sup>46</sup> Using his successes to demonstrate the effectiveness of tactical interrogation, Moran was able to establish a program that placed a large emphasis on Japanese culture and psychology, language expertise, and the humane treatment of Japanese POWs.<sup>47</sup> The effectiveness of this interrogation program was highlighted during the landing on Saipan and Tinian, when interrogators had indentified the entire Japanese order of battle within the first 48 hours of fighting.<sup>48</sup> The effectiveness of interrogation was again demonstrated when the interrogation programs implemented by the U.S. Army and Navy were credited with shortening the war in the Pacific by 2 years.<sup>49</sup>

Tactical interrogation has been stressed by great military leaders throughout time. Sun Tzu stressed that, "foreknowledge...must be obtained from men who know the enemy situation."<sup>50</sup> Jomini declares interrogation is one of the most reliable sources of intelligence available to

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<sup>45</sup> Sherwood F. Moran, Major, U.S. Marine Corps, "Suggestions for Japanese Interpreters Based on Work in the Field," 17 July 1943, <http://www.w-z.com/articles/article023.pdf> (accessed 6/5/2011).

<sup>46</sup> Stephen Budiansky, "Truth Extraction," Atlantic Magazine, June 2005, <http://www.theatlantic.com/magazine/archive/2005/06/truth-extraction/3973/> (accessed 5/6/20011).

<sup>47</sup> Stone et al., *Interrogation: WWII, VN, and Iraq*, viii.

<sup>48</sup> Budiansky, "Truth Extraction."

<sup>49</sup> Stone et al., *Interrogation: WWII, VN, and Iraq*, 17.

<sup>50</sup> Sun Tzu, *The Art of War* (Oxford: University Press, 1963), 145.

commanders.<sup>51</sup> In the current irregular struggle that must be fought at the local level, the United States cannot afford to restrict the use of interrogation as a tool for the tactical commander. There is a clear need for tactical-level interrogation to provide information on the location of the next ambush or the enemy sniper's hide to protect the forces on the ground. If interrogation is held only to operational and strategic level commanders, the tactical units operating under those commanders will never function at a level of efficiency high enough to allow them to adequately understand their environment and defeat the enemy.

#### **D. TIME AND FLEXIBILITY**

*The system of rapid interrogation and site exploitation would turn an initial operation into one or two more the same night.*

— Konrad Troutman, Senior Intelligence Officer for USSOCOM

Timeliness is critical in all aspects of intelligence. This holds as true for strategic level intelligence as it does for intelligence at the tactical level. The maximum opportunity for gathering intelligence from a detainee comes in the first hours after detention through interrogation, before other members of the enemy organization can determine that their network has been breached. Once a suspect is known to be in custody, his intelligence value

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<sup>51</sup> Michael Handel, *Masters of War: Classic Strategic Thought* (London: Routledge, 2001), 249.

falls.<sup>52</sup> In its findings, The Independent Panel on DoD Detention Operations states,

Interrogations provide commanders with information about enemy networks, leadership, and tactics. Such information is critical in planning operations. Tactically, detainee interrogation is a fundamental tool for gaining insight into enemy positions, strength, weapons, and intentions. Thus, it is fundamental to the protection of our force in combat.<sup>53</sup>

What current doctrine fails to acknowledge is that these tactical commanders often need this information immediately. They do not have the time required to move a detainee to a DoD-approved facility and wait for a DoD-certified interrogator (who only knows the details about the detainee that the tactical unit provides) to conduct an interrogation and then produce and send his report back to the original unit. During OIF, some detainees were in custody for as long as 90 days before being interrogated for the first time.<sup>54</sup>

FM 2-22.3, however, completely ignores the necessity for tactical units to secure detainees at their level to gain and exploit any available tactical intelligence themselves. In Iraq and Afghanistan, tactical commanders understood the need to exploit the unique local knowledge possessed by detainees. These commanders kept detainees longer than doctrine allowed in order to gather details regarding religious and tribal affiliations and local politics, despite not being properly trained or resourced to

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<sup>52</sup> Bowden, "The Dark Art of Interrogation."

<sup>53</sup> *DoD Detention Operations Panel*, 65.

<sup>54</sup> *DoD Detention Operations Panel*, 67.

most effectively do so. The time with the tactical unit provided the opportunity for additional questioning, clarification, and confirmation of details. Tactical commanders were also concerned that information obtained in higher-level interrogation facilities would not be returned to the tactical unit.<sup>55</sup> This concern is validated through the Independent Panel on DoD Detention Operations' findings that there were a number of interrelated factors that limited the intelligence derived from interrogations, most notably, "a shortfall of properly trained HUMINT personnel" and a short supply of "qualified and experienced interrogators" at all levels."<sup>56</sup>

Rather than identifying these needs and providing training to support these operations, FM 2-22.3 focuses on the necessity of "rapid evacuation" of all detainees for their interrogation at the strategic and operational levels regardless of the fact that very few detainees have decisive information.<sup>57</sup> By emphasizing the bottom-up movement of detainees, nothing was done to address the complete lack of top-down information flow as to intelligence and information gained in these interrogations.<sup>58</sup> Even more disturbing was the restriction on who could conduct interrogations. Only a few certified personnel were authorized to interrogate, placing this critical tool out of the hands of tactical commanders regardless of the Independent Panel's acknowledgement that "Tactically, detainee interrogation is a fundamental tool for gaining insight into enemy positions,

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<sup>55</sup> *DoD Detention Operations Panel*, 66-67.

<sup>56</sup> *DoD Detention Operations Panel*, 63.

<sup>57</sup> FM 2-22.3, D-4.

<sup>58</sup> Stone et al., *Interrogation: WWII, VN, and Iraq*, 141.

strength, weapons, and intentions. Thus, it is fundamental to the protection of our force in combat."<sup>59</sup>

The DoD has inadequately attempted to rectify this by emphasizing the use of tactical questioning (TQ). TQ is defined as the "expedient initial questioning for information of immediate tactical value. TQ is generally performed by soldiers on patrols, but can be done by any DoD personnel."<sup>60</sup> Not only is TQ limited in the depth of its questions, it is also restricted by time allotted. Detainees are to be evacuated from the combat zone to a detention facility "within the minimum time after capture."<sup>61</sup> This highlights the weakness of current doctrine in irregular warfare as it allows only "professional" interrogators to conduct intelligence interrogations and leaves every other U.S. service member on the battlefield—from a truck driver to an SF intelligence sergeant—with only the tool of TQ.

#### **E. SEPARATING OURSELVES FROM TORTURE**

*[The] barbarous custom of whipping men suspected of having important secrets to reveal must be abolished. It has always been recognized that this method of interrogation, by putting men to the torture, is useless. The wretches say whatever comes into their heads and whatever they think one wants to believe. Consequently, the Commander-in-Chief forbids the use of a method which is contrary to reason and humanity.*

— Napoleon Bonaparte, during the French military campaign in Egypt, 1798.<sup>62</sup>

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<sup>59</sup> DoD Detention Operations Panel, 65.

<sup>60</sup> FM 2-22.3, 1-7.

<sup>61</sup> FM 2-22.3, D-4.

<sup>62</sup> Stone et al., *Interrogation: WWII, VN, and Iraq*, 141.



Torture. It works . . . at least on some level. According to Bill Cowan, a Marine officer who served in Vietnam, "It worked like a charm." When he captured an uncooperative Vietcong soldier who could warn of ambushes or lead them to the enemy, wires were attached to the man's scrotum with alligator clips and electricity was produced out of a 110-volt generator. "The minute the crank started to turn, he was ready to talk. We never had to do more than make it clear we could deliver a jolt. It was the fear more than the pain that made them talk."<sup>63</sup>

Old war stories like Cowan's and Hollywood action films have taught the average American that simply "roughing up" a detained criminal will get him to talk. More importantly, when a U.S. soldier hears public comments by the president that coercive interrogations have "a proven track record of keeping America safe," most would assume that the evidence supporting coercive techniques must be compelling.<sup>64</sup> The facts show that this is simply not true. While torture might be redefined as "coercive means" or "enhanced interrogation techniques," noncoercive interrogations have been much more successful and reliable in obtaining accurate information than coercive interrogations.<sup>65</sup> Torture simply compels the detainee, through any means necessary, to perform an action

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<sup>63</sup> Bowden, "The Dark Art of Interrogation."

<sup>64</sup> President George W. Bush, "President's Radio Address," *The White House*, 8 March 2008, <http://www.whitehouse.gov/news/releases/2008/03/20080308.html> (accessed 19 July 2008).

<sup>65</sup> MAJ Mike Mourouzis, "Non-Coercive Interrogations," currently awaiting publishing, 2011.

he would not otherwise commit under his own volition.<sup>66</sup> There is nowhere in the U.S. government or morale code where this is justified.

Coercive interrogations can produce compliance, but compliance does not ensure reliable information. The waterboarding, prolonged standing, forced nudity, sleep deprivation, and exposure to extreme temperatures were all the products of those seeking to terrorize rather than to obtain truthful information.<sup>67</sup> If a person does not die under torture or go into shock, he will typically say anything to get the torture to stop; even if some true statements are made, the interrogator will usually not be in a position to know which statement is true.<sup>68</sup> This is particularly troublesome for interrogators attempting to gather actionable intelligence rather than a confession.<sup>69</sup> Jim Auld, arrested under suspicion of being an Irish Republican Army (IRA) terrorist, who was tortured and then found to be innocent, states,

I would have told anybody anything. The interrogations were nothing for me because I wasn't in a position to tell them what they wanted to know. I admitted to being in everything but the crib [with the baby Jesus in the manger], and if they asked me I would have said, 'Yes, the crib as well, I'm in the background of it there,' because I was just so frightened.<sup>70</sup>

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<sup>66</sup> Kleinman, "Interrogation v. Torture," 1583.

<sup>67</sup> Kleinman, "Interrogation v. Torture," 1586.

<sup>68</sup> Skerker, *An Ethics of Interrogation*, 210.

<sup>69</sup> Bowden, "The Dark Art of Interrogation."

<sup>70</sup> John Conroy, *Unspeakable Acts, Ordinary People* (Berkeley: University of California Press, 2000), 4.

Any truthful information obtained during interrogations involving torture is almost always corrupted by false data, false admissions, and unfounded speculations, all introduced by the individual being interrogated simply out of a desire to stop the terror or pain.<sup>71</sup> The problem with these techniques is that rarely is the information gained worthwhile and never is it worth the cost of becoming a nation that condones and conducts torture. Coercive interrogations are rarely necessary for gaining actionable intelligence.<sup>72</sup>

Because the United States' current conflicts are each irregular in nature, the importance of good intelligence and information cannot be emphasized enough during discussion on this topic. This intelligence must come from the local population and torture will only serve to drive it away. Countries that use coercive interrogation techniques have not solved their problems of insurgency and terrorism, but those that have abandoned or never used them have reaped more success.<sup>73</sup> The British in Northern Ireland, for example, adopted coercive interrogations of terrorist suspects. An IRA Commander reported that these interrogation methods were "the best recruiting tools the IRA ever had."<sup>74</sup>

In a conflict where victory will be obtained by altering the feelings of the population away from supporting the enemy, "counterproductive" does not begin to describe

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<sup>71</sup> Kleinman, "Interrogation v. Torture," 1585.

<sup>72</sup> Kleinman, "Interrogation v. Torture," 1587.

<sup>73</sup> Mary Ellen O'Connell, "Affirming the Ban on Harsh Interrogation," Ohio State Law Journal 66 (2005): 1262-1263.  
<http://moritzlaw.osu.edu/lawjournal/issues/volume66/number6/oconnell.pdf> (accessed 3/7/2011).

<sup>74</sup> O'Connell, "Affirming the Ban on Harsh Interrogation," 1262-1263.

the harm that torture does to a nation's reputation. The mere perception of the use of torture can significantly harm a nation's reputation. Because it allowed itself to dabble in coercive techniques considered torture, America's reputation has been tarnished. The damage from Abu Ghraib will affect the United States for years, especially throughout the Middle East. Terrorist recruitment has increased and foreign governments are hesitant to cooperate with the United States.<sup>75</sup> While Bill Cowan's alligator clips may have worked in the short run, the Viet Cong won the war. The United States cannot afford to be shortsighted and ethically misaligned as it continues to fight the current conflicts around the globe. It cannot successfully fight a war against terrorism while applying a terrorist tactic.

## **F. CONCLUSION**

The enemy is changing. The United States can no longer afford to primarily focus on monitoring massed forces and equipment through technical means without the benefit of exploiting HUMINT networks as well. The enemy is now operating in widely dispersed networks and utilizing methods of communication and operational techniques that differ significantly from the conventional threats the national security apparatus was designed to identify and defeat. HUMINT capabilities must be adapted and altered to effectively illuminate and counter these new threats. And yet counter to this, doctrine mandated and enforced through an executive order completely restricts the vast majority of

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<sup>75</sup> Skerker, *An Ethics of Interrogation*, 211.

U.S. service members conducting operations in support of national interests around the globe. One of the most accessible and potentially valuable sources for this exact type of intelligence, the interrogation of detainees is now "off limits" on the front line.

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### **III. WHY SPECIAL FORCES?**

#### **A. INTRODUCTION**

Special Forces soldiers are on the front lines of numerous irregular conflicts around the globe. They possess both the ability to gather HUMINT and a high understanding of the operational environment militarily and socially. Because of these abilities, there is immense pressure for SF soldiers to provide timely intelligence gained firsthand from the battlefield. National political and military leadership must not, however, make the mistake of simply granting USSF the authority to conduct tactical interrogations without providing the necessary training. The following sections show the need for this training by discussing the extreme difference between the defensive interrogation training (how to resist interrogation) currently conducted by USSF and the offensive interrogation training (how to conduct interrogation) needed to conduct effective interrogations, the necessity to reinforce national policy that clearly bans all coercive interrogation methods, and the operational requirement to conduct interrogations in irregular warfare.

#### **B. WHY SF?**

No soldier has a better understanding of his operational environment than those in Special Forces. The focus on local customs, cultures, and language inherent in USSF allows for the development of information networks that provide details on all aspects of local life from enemy

troop movements to the political standings of a village based on tribal affiliations. The core missions of UW and FID require a high level of autonomy and self-sufficiency allowing USSF to operate in an extremely agile manner based on the needs of the indigenous forces are working with. With this autonomy and the speed at which they operate, the requirement to transport every detainee to a certified interrogator at the operational or strategic level degrades effectiveness.

USSF operates worldwide. Due to the mission to train various entities of other nations, it is an organization focused on working by, with, and through indigenous populations and is formed around geographical and cultural areas of focus. USSF continually conducts missions in support of the Theater Security Cooperation Plan (TSCP) conducting Joint Combined Exchange Training (JCET) exercises and Counter Narco-Terrorism (CNT) missions everywhere from Algeria to Mongolia and Columbia to Jordan. The nature of these operations not only put USSF in the right locations to gather needed information on local capabilities and threats, but their understanding of the region and population provides additional context concerning which information is important to commanders and decision makers at the operational and strategic levels of conflict.

USSF has often provided a platform for the testing and evaluating new tactics and technologies for their potential adaptation by larger components of the U.S. Army. This allows for the new item to be thoroughly stressed and modified prior to a full investment being made. Applying this same model to the practice of tactical interrogation



would allow for the training and execution of interrogation to be evaluated by USSF and if successful those skills and authorities could be transferred to conventional tactical level units that need this skill on a case by case basis when tasked to operate in an irregular environment.

## **1. The Mission**

In a recent interview, MG Bennet Sacolick, Commander of the U.S. Army John F. Kennedy Special Warfare Center and School, clearly described the mission of the U.S. Army Special Forces,

We're the only force specifically trained and educated to train and work with indigenous forces. Not hunting them down and killing them, but working with them to build partner capacity...We're not designed to hunt people down and kill them. We have that capability and we have forces that specialize in that. But ultimately what we do that nobody else does is work with our indigenous partner nations.<sup>76</sup>

Training partner forces to increase their effectiveness is the reason USSF was created. USSF focuses its training skills through the execution of two primary missions: Foreign Internal Defense (FID) and Unconventional Warfare (UW). Each of these missions centers around working by, with, and through an indigenous force to either support a government in power, FID, or to counter a government in power, UW. By receiving training on proper interrogation techniques, USSF could better influence the conduct of interrogations conducted by their partner forces on JCETs

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<sup>76</sup> Christian Lowe, "SF Trying to Adjust Army Doctrine," May 31, 2011, <http://www.military.com/news/article/May-2011/sf-trying-to-adjust-army-doctrine.html> (accessed 6/1/11).

and CNTs. This training would not only improve the standing of the USSF providing the training with its partner force, but would often provide the only opportunity for a U.S. entity to influence the host nation's interrogation techniques because USSF are often the only U.S. force foreign security forces are ever exposed to. Knowledge of proper interrogation techniques would increase the legitimacy of partner forces and undermine the narrative of the enemy.

**a. The SF Mission of Unconventional Warfare (UW)**

Nothing provides a clearer example of the requirement for USSF to possess interrogation skills and the authority to conduct interrogations than its core mission of Unconventional Warfare (UW). UW is defined as:

Activities conducted to enable a resistance movement or insurgency to coerce, disrupt or overthrow a government or occupying power by operating through or with an underground, auxiliary and guerrilla force in a denied area.<sup>77</sup>

UW is the primary reason for the existence of USSF as an organization within the U.S. armed forces. UW is an element of IW, but it takes place solely within an area under enemy or unfriendly control. The intent of U.S. UW efforts is to exploit a hostile power's political, military, economic, and psychological vulnerabilities by developing and sustaining resistance forces to accomplish U.S.

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<sup>77</sup> Training Circular 18-01 "Special Forces Unconventional Warfare," January 2011, 1-1.

strategic objectives.<sup>78</sup> For an SF Operational Detachment-Alpha (SFODA) conducting UW alongside a guerrilla force against a hostile government, FM 2-22.3 is unrealistic. It would be impossible for the SFODA to evacuate every detainee from deep inside denied enemy territory for interrogation simply because of the risk to force and mission in a denied area. Most of these detainees would possess tactical level information that would be of limited use at higher levels. Any form of intelligence and analytical support coming from the slower moving operational and strategic levels of the unconventional conflict would be too far removed to keep up with the details and rapidly changing realities that are required to keep the guerrillas and SFODA alive and operating efficiently.

Cohesive integration with the guerrilla force is critical for mission success in the UW environment. The members of the SFODA are considered outsiders and rely on the local guerrillas and their support networks for security and supplies. In turn, the SFODA members provide the guerrillas training on tactical level tasks. Information is critical in this environment and with current doctrine an SFODA is handicapped by an inability to gather intelligence through the means of interrogations. The SFODA also has no training on conducting interrogations so they are unable to properly advise their guerrillas on proven interrogation

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<sup>78</sup> Training Circular 18-01 "Special Forces Unconventional Warfare," January 2011, 1-1.

techniques. The option of attaching a trained interrogator to the SFODA prior to their infiltration would only be seen as a hindrance.<sup>79</sup>

In his book, *An Ethics of Interrogation*, Michael Skerker makes the following statement specifically about interrogators operating in a UW environment:

For interrogators to be successful in UW, the need to either accompany troops in the field—where they can direct, or act closely in concert with the ranking officer to direct, the investigative aspects of the mission including tactical screening, document recovery, and searches after a site has been secured...Troops in the field as well as interrogators need to be better trained in the investigative aspects of unconventional warfare, which in particular theaters will involve intensive cultural training so that they are better able to distinguish genuinely suspicious behavior from behavior that is normal in the local behavior.<sup>80</sup>

USSF easily conducts each of these tasks: they live in the field beside their indigenous force, understand local cultures, possess the training to effectively exploit tactical successes, and have the knowledge and resources to validate local information. Skerker goes on to say, "Critics will object that extra training costs money, but ineffective operations born of inadequate training are costlier."<sup>81</sup> If USSF already possess many of the required skills to be

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<sup>79</sup> It could be argued here that attaching an interrogator to a Special Forces Detachment would be no different than attaching a U.S. Air Force TAC-P. U.S. Army interrogators, however, do not possess any of the additional tactical capabilities that SOF personnel such as Tac-Ps are proficient in. Even if they did possess these capabilities, the interrogator would not be educated or trained in conducting UW operations.

<sup>80</sup> Skerker, *An Ethics of Interrogation*, 181.

<sup>81</sup> Skerker, *An Ethics of Interrogation*, 181.

effective UW interrogators and leadership at every level expects detailed information about the enemy from USSF, can the U.S. government afford the price of not teaching this skill to UW forces?

***b. The SF Mission of Foreign Internal Defense (FID)***

Defined as "Participation by civilian and military agencies of a government in any of the action programs taken by another government or other designated organization to free and protect its society from subversion, lawlessness, insurgency, terrorism or other threats to its security," FID is the U.S. government's support to a host nation to assist with internal defense and development to promote its growth and protect itself from both internal and external security threats.<sup>82</sup> The capabilities that SF employ to perform its FID mission are those inherent to its UW mission; only the operational environment is changed. A FID operation can include any number of tasks including training and advisory assistance, humanitarian assistance, psychological operations, and even combat operations. The need for these tasks will vary from nation to nation. One host nation may request assistance to combat drug trafficking, while another may desire counterinsurgency training. The overall goal for a FID mission, however, does not change: to assist the host nation in combating internal threats while increasing its legitimacy and influence over its population.

While FID can be conducted by conventional forces, it is a core mission for USSF. Their knowledge of the

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<sup>82</sup> Joint Publication 3-22 "Foreign Internal Defense," 12 July 2010, ix.

language, customs, and political situations of a particular region increase their effectiveness in this mission. Most often they are tasked with training and advising the host nation's security forces. While this provides the opportunity to increase host nation capabilities, it often ties USSF to a security unit's actions long after USSF are gone. USSF could better influence interrogations conducted by their partner forces during FID missions given training on proper interrogation techniques. This would result in an increased probability that the host nation force would use these techniques after USSF had completed its mission, thus increasing the legitimacy of the host nation government and its forces. Providing interrogation training to its host nation partner forces would provide an opportunity to influence the host nation's interrogation techniques in a way that enhances the legitimacy of that government.

## **2. The Men**

Over the past 70 years, various personal traits have been identified within individuals who were considered to be effective interrogators: intelligent, personable, tenacious, worldly, experienced, humane, and managerial.<sup>83</sup> The abilities to cultivate and sustain productive relationships and possess an aptitude toward culture and language appear to be key.<sup>84</sup> One would be hard pressed to find a USSF commander who would not use most of these same traits to describe his ideal Green Beret. The final common trait is an

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<sup>83</sup> Stone et al., *Interrogation: WWII, VN, and Iraq*, 141.

<sup>84</sup> Stone et al., *Interrogation: WWII, VN, and Iraq*, 140.

exceptional aptitude for dealing with ambiguity.<sup>85</sup> Any soldier who has deployed as a member of USSF is accustomed to operating within rapidly changing environments under minimal guidance. They were chosen due to their ability to operate effectively in ambiguous situations. Because these are the traits the SF Regiment uses to select its operators, it could be argued that with training, USSF are likely to be among the most effective interrogators in DoD.

### **C. UNLEARNING WHAT WE THINK WE KNOW**

Every member of the Special Forces Regiment is required to successfully complete the Survival, Evasion, Resistance, and Escape (SERE) course. Designed to give graduates the skills needed to resist against the enemy during evasion and following capture, it will no doubt prove to be priceless training in the event that a soldier ever has to endure the hardships of captivity. Despite the obvious importance of this skill set to USSF given the inherent high risk of capture during operations, not one USSF soldier has been placed into a situation that required the implementation of the defensive interrogation skills taught at SERE during the combat of the past decade. Conversely, the vast majority of USSF who have deployed over that same time period have interacted in some manner or fashion with a detainee. Yet, no portion of the current doctrine addresses training USSF for interrogation operations.

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<sup>85</sup> Steven Kleinman, "KUBARK Counterintelligence Interrogation Review: Observations of an Interrogator," in *Educating Information-Interrogation: Science and Art*, ed. Robert Fein (Washington DC: National Defense Intelligence College, 2006), Kleinman, "KUBARK Review" in *Educating Information*, 102.

Prior to discussing the reasons for USSF interrogation training, a quick glance must be taken at the errors of "what we think we know." SERE training includes an introduction to the process of interrogation. These periods of instruction are intense and often violent and each trainee will carry the lessons learned for a lifetime. But these lessons are designed to teach a student how to resist interrogation (both coercive and noncoercive), not to conduct it. Defensive interrogation training, like that experienced in SERE, is designed to help personnel withstand the unique stresses of coercive interrogation to protect information and avoid their becoming pawns in an adversary's attempt to generate propaganda.<sup>86</sup> The U.S. government has understandably spent countless dollars and man hours studying the hostile and coercive interrogation methods employed by totalitarian regimes and hostile non-state actors around the globe in order to better prepare service members to endure and survive if captured. However, no similar effort has ever been undertaken to prepare personnel for their important role in gleaning information from prisoners and detainees.<sup>87</sup> It is precisely this lack of understanding in the differences between defensive interrogation training and effective interrogation skills that lead USSF soldiers to inappropriately conduct tactical questioning in just the same manner as their SERE instructors did to them.

Interrogators within a totalitarian regime (and SERE instructors) are working toward a specific end state:

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<sup>86</sup> Kleinman, "KUBARK Review" in *Educating Information*, 98.

<sup>87</sup> Kleinman, "KUBARK Review" in *Educating Information*, 98.



propaganda. Their methods, both coercive and noncoercive, are focused on gaining data that can be used to promote the cause of the regime, such as a signed confession by a service member "admitting" to a war crime in order to discredit the U.S. government. USSF are focused on a completely different end state: accurate information and situational understanding. What ultimately informs the methodology employed to collect information from a source is the nature of the information sought.<sup>88</sup> It is vital that a true understanding of the desired end state of an interrogation is required.

Given the immediate and future requirements for intelligence and the current misunderstanding of the application of interrogation techniques, one can begin to visualize how cases of detainee abuse come about. In study after study, it has been repeatedly demonstrated that inadequate interrogation training and improper interrogation protocols undoubtedly led to abuse of detainees.<sup>89</sup> USSF soldiers must be trained in the art and science of interrogation in order to provide them with the skills necessary to fill intelligence gaps without having to reverse engineer their own experiences from SERE training. Failure to do so while increasing the pressure on USSF to provide accurate and actionable intelligence is courting detainee abuse.

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<sup>88</sup> Kleinman, "KUBARK Review" in *Educating Information*, 100.

<sup>89</sup> Michael Skerker, *An Ethics of Interrogation* (Chicago: University of Chicago Press, 2010), 180.

#### **D. CONCLUSION**

Because of their missions to train partner nation forces and execute UW, USSF need the training and authority to conduct tactical interrogation. The high level of autonomy required to execute their core missions and their continual involvement in tactical, operational, and strategic level operations demand it. USSF are mature, highly trained and carefully selected soldiers. The nation increasingly turns to them to fill intelligence requirements in light of current irregular threats. Leadership should acknowledge that, without altering doctrine to allow USSF to conduct tactical interrogation, the ever-expanding need for accurate and actionable intelligence on the irregular battlefield will not be effectively filled.

## IV. CASE STUDIES

### A. INTRODUCTION

Despite a lack of formal interrogation training the examples provided in the following case studies illustrate the value and necessity of tactical level units to be able to conduct interrogation at their level. First, then-CPT Stuart Harrington was able to gain critical insight into the irregular conflict he faced as an advisor in South Vietnam. These insights provided him the knowledge to increase his effectiveness through a better understanding of both his enemy and his allies. Second, a SFODA conducting interrogations in support of its mission during Operation Iraqi Freedom stumbles upon a detainee that is not only willing to provide timely and accurate information, but who will eventually work for USSF to combat the growing insurgency. These two cases highlight the type of intelligence that can only be gained in an irregular conflict through tactical units conducting interrogation operations. The final case illuminates the importance of proper interrogation training when an untrained SFODA in Afghanistan applies improper techniques during interrogation that ultimately result in the death of a detainee. Each of these cases occurred prior to the implementation of current doctrine.

The final case study is from the author's experiences as a SF ODA commander in Iraq following Abu Ghraib and the implementation of FM 2-22.3 *Human Intelligence Collector Operations*. The conflict in Iraq had shifted from a

conventional invasion, to an insurgency, to a civil war, and by 2007 the country was again facing an insurgency. Other than the initial invasion, all of this conflict fell squarely into the realm of irregular warfare. Despite the need for more information to succeed against the insurgents, the new doctrine regarding interrogations outlawed this tool from tactical commanders in the field. The examples provided in the final case study demonstrate the negative effects current doctrine has on tactical level units' abilities to gather the very information that increases their operational effectiveness.

#### **B. COL STUART A. HARRINGTON**

Then-CPT Stuart "Stu" Harrington arrived in Vietnam in 1971 following a short break in service. He had been commissioned into the military intelligence branch of the U.S. Army in 1967, completed an assignment in Berlin, and then returned to civilian life. Bored with his new career choice, Harrington reentered the Army knowing he would be sent to Vietnam. In preparation for his assignment there, he attended the Tactical Intelligence Officer Course, the Military Assistance Training Advisor (MATA) course, and a three-month course in Vietnamese.<sup>90</sup>

CPT Harrington was assigned to the Hau Nghia province as a Phoenix Program advisor. His mission was to work with the South Vietnamese Army and police units in the province to neutralize any Vietcong insurgents located there. Harrington soon lost faith in the ability of the Phoenix

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<sup>90</sup> Stuart A. Harrington, *Silence was a Weapon: The Vietnam War in the Villages* (Novato, CA: Presidio Press, 1982), xiv-xviii.

Program to succeed due to a lack of commitment on the part of his South Vietnamese counterparts. It was at this time he began to conduct unilateral debriefings of Vietcong defectors armed with only his general intelligence training on how to handle defectors. These interrogations not only provided insight on Vietcong operations, but also provided inspection into the realities of why the Vietcong were fighting at all.<sup>91</sup>

Taking advantage of the *Chieu Hoi* ("Open Arms") program, Herrington gained access to numerous former Vietcong. The interrogations were conducted in a manner completely opposite of anything most of the former Vietcong had anticipated. They were placed in a hospitable environment, provided refreshments, and were never treated in a harsh or unfriendly manner. Herrington wore civilian clothes and used a translator as little as possible. He conducted extensive research on the detainee's admitted former village and the Vietcong units in that area of operation in order to demonstrate knowledge and therefore decrease the probability of being misled.<sup>92</sup>

With the knowledge and understanding of what was occurring militarily on the ground in his province, Harrington was able to gain additional information that divulged the hidden realities of both sides of the insurgency in Vietnam. The information revealed that South Vietnamese government officials at the local levels chose not to combat the Vietcong in their area out of fear of condemnation by their own leadership, and the fear of being

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<sup>91</sup> Harrington, *Silence was a Weapon*, 9-18.

<sup>92</sup> Harrington, *Silence was a Weapon*, 19-21.

targeted by the Vietcong for assassination. It provided social insights that depicted the Vietnamese as a people who would never turn a fellow Vietnamese native (even if the person was an enemy) over to a foreign invader, showed that the "Vietnamese way" demanded contempt for foreigners be concealed (even the South Vietnamese officers toward their U.S. advisors), and divulged that the majority of the population continually shifted sides to whomever they believed was winning at the moment. Harrington also learned the primary reason the Vietcong were able to gather the support of, or at least be tolerated by, the population in the south was the revulsion over the South Vietnamese government's high level of corruption, opposition to its land reform campaign, and the mishandling of mandatory relocation programs that had been dictated from Saigon. It was the lack of ability by the Americans to understand the importance of these "non-military" aspects of the conflict that caused failures in implementing effective counterinsurgency initiatives alongside their South Vietnamese allies.<sup>93</sup>

#### **C. AN ODA'S ABILITY TO SEIZE UPON OPPORTUNITY**

Prior to the Abu Ghraib scandal and the doctrinal changes that followed, tactical level units were allowed to conduct interrogations. While these units were permitted by the doctrine and policies in place at the time to interrogate detainees, most had not been provided any training on how to conduct these types of operations. The following case study highlights the opportunities this

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<sup>93</sup> Harrington, *Silence was a Weapon*, 24-32.

doctrinal freedom presented to these tactical units and the potential for increasing the information gained in this type of situation through the implementation of an offensive interrogation training program.

After several months operating in the extremely fluid combat environment of Iraq in late 2003, the ODA out of 10<sup>th</sup> Special Forces Group (Airborne) had been in many situations for which it was not specifically trained. Like any good ODA, its members had adapted and improvised toward the goal of success. Finding themselves with a continually growing number of detainees and no outside support to question them, the ODA naturally assumed the role of interrogators. Despite having no training on the conduct of interrogation, or having been specifically tasked to conduct them, interrogations became an inherent and essential part of the operational cycle:

1. Gather information about a target
2. Interdict the target
3. Develop information from the interdiction (interrogate detainees, conduct sensitive site exploitation)
4. Identify new targets from information provided by the detainee and documents

Each step was dependent on the one previous to it. If one was removed, or not completed, the ODA was relegated back to step 1.<sup>94</sup>

Following an unsuccessful raid against an insurgent arms dealer, the ODA found itself with a detainee from Baghdad, Hadr, who appeared willing to provide information. The team had conducted dozens of tactical interrogations in

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<sup>94</sup> Stone et al., *Interrogation: WWII, VN, and Iraq*, 173.

the field using various expedient methods with varied levels of success, but on this night the detachment commander made the decision to approach this interrogation differently.<sup>95</sup> Rather than keep the detainee uncomfortably cold and confront him with a hostile barrage of questions inside a dimly lit, hollowed-out building with the feel of a dungeon as had been the case with past detainees, the ODA conducted the interrogation in their basement. It was "the most American room in the house" complete with TV, Playstation II, and exercise equipment. Hadr was placed on the couch and provided Iraqi tea, snacks, and cigarettes. He was shown hospitality rather than aggression.<sup>96</sup>

Most importantly, the team had a plan. Not having to rush Hadr to a detention facility allowed the team to choose the time, location, environment, and detachment personnel for conducting the interrogation. They were able to set the environment to take full advantage of this detainee's knowledge of the local social intricacies and determine if he possessed information that would be of value at higher levels. The plan worked. Hadr had been so taken by the ODA's hospitality and generosity that the first hour of the interrogation was completely filled with his providing information on insurgent recruiting, IED tactics, and other "non-military" aspects of the insurgency with minimal questioning.<sup>97</sup>

The ODA then directed the conversation toward the targeted arms dealer. Hadr provided information on the arms

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<sup>95</sup> Stone et al., *Interrogation: WWII, VN, and Iraq*, 174,183.

<sup>96</sup> Stone et al., *Interrogation: WWII, VN, and Iraq*, 184.

<sup>97</sup> Stone et al., *Interrogation: WWII, VN, and Iraq*, 185.



dealer's pattern of life, safe houses, and weapon cache sites. He eventually volunteered to escort the ODA on a mission to physically identify the locations he had discussed. The interrogation had not only provided intelligence that assisted the ODA in capturing the arms dealer, it had presented the opportunity to initiate the operational cycle against additional targets in the area.<sup>98</sup> Hadr returned to Baghdad continuing to supply information to other ODAs conducting operations there. He would later provide crucial information on the bombing of the UN building in August 2003.<sup>99</sup>

This experience is similar to that Stuart Harrington in Vietnam and interrogators of World War II such as Hans Scharff (see Appendix C) and Sherwood Moran (see Appendix D). While both Moran and Scharff operated in a completely conventional conflict, the methods they employed with legendary success would be extremely beneficial in irregular warfare for both gathering intelligence and to increase the legitimacy of the force in the eyes of the population by conducting noncoercive interrogations. It must be remembered that what is key to this case study is not the suggestion that every detainee will turn completely based on positive treatment, but that the ODA had the flexibility to employ this technique, the ground knowledge to exploit Hadr, and the chance to build a level of trust that allowed them to turn a prisoner into a cooperative asset.

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<sup>98</sup> Stone et al., *Interrogation: WWII, VN, and Iraq*, 186.

<sup>99</sup> Stone et al., *Interrogation: WWII, VN, and Iraq*, 190.

#### **D. THE COST OF INSUFFICIENT TRAINING**

Early on during the war in Afghanistan, USSF firebases were often the first stop for a detainee. From there the detainee faced a number of potential fates: release, transfer to the local Afghan authorities, transfer to U.S. detention facilities in Bagram or potentially Guantanamo Bay. It was in these firebases that some USSF personnel began conducting their own interrogations based on nothing more than assumptions and physical violence. In late 2002, high-ranking Special Operations leadership and officials with the International Committee of the Red Cross shared expressed concern about a rash of reports highlighting an extremely high level of physical abuse of detainees at these firebases. It was during this time that one ODA from the 20th Special Forces Group (Airborne), ODA 2021 stationed at Gardez firebase, allegedly tortured a detainee to death.<sup>100</sup>

The guidelines for holding detainees and conducting interrogations had been issued to all the Special Forces units upon deployment to Afghanistan. The commander had redistributed these same guidelines when reports of detainee abuses had begun to appear in reporting. Then LTG Dan McNeill, commander of all U.S.-led forces in Afghanistan, had stressed the need to segregate detainees with ties to Al Qaeda or the Taliban for transportation to Bagram and instituted a 96-hour time period for tactical level commanders to make this determination. In the irregular environment, it was often difficult to determine a

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<sup>100</sup> Kevin Sack and Craig Pyes, "A Silence in the Afghan Mountains," The LA Times, September 24, 2006, URL: <http://www.latimes.com/news/printedition/la-na-torture24sep24,0,6220615,full.story>, accessed 6 June 2011.

detainee's level of involvement with these groups. Accordingly, latitude was given to the tactical commanders to detain any suspects "who pose a threat" or "who may have intelligence value." There was also some ambiguity with the 96-hour limit due to delays in transportation assets or units hoping to extract additional intelligence.<sup>101</sup>

ODA 2021 appears to have had several issues that climaxed in the death of a detainee due. Weak leadership and a lack of understanding of their mission are apparent in the reporting between the ODA and their higher headquarters. For an organization tasked with working by, with, and through the local Afghan political and military leadership to gain the support and influence over the local population, the ODA undermined their own efforts.<sup>102</sup>

It was on one of these raids that Jamal Naseer, an eighteen-year-old Afghan army recruit, was detained along with his brother, Parre, and six others. Following the raid on March 5, 2003, the eight men were bound and hooded. The detainees were transported to Gardez firebase where the physical abuse began immediately upon their arrival. Parre claims to have been beaten, kicked, doused with cold water, and forced to stay on his knees until "we lost the sensation in our legs and couldn't walk."<sup>103</sup>

Over the next eleven days, the detainees were questioned and abused while the ODA reported to its higher

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<sup>101</sup> Sack, "A Silence in the Afghan Mountains."

<sup>102</sup> Kevin Sack and Craig Pyes, "Two Deaths Were a 'Clue That Something's Wrong'," The LA Times, September 25, 2006, URL: <http://www.latimes.com/news/printedition/la-na-torture25sep25,0,7203657,full.story>, accessed 6 June 2011.

<sup>103</sup> Sack, "Two Deaths Were a 'Clue That Something's Wrong.'"

headquarters that "A lot of intelligence was being generated" and that the detainees were "still undergoing interviews." These "interviews" consisted of rounds being fired near the detainees' heads, beatings with fists, boots, and other items designed to deliver blunt trauma to the body, and even the removal of toenails. The questioning that went along with this torture appears to have been haphazard and unplanned, ranging from local information on control of the roads to interaction with Al Qaeda leadership and international travel. Parre claims that, at one point, an Afghan interpreter pleaded with him to give the interrogators the information they were searching for, telling him to "Just say anything to make them stop."<sup>104</sup>

According to military records, the ODA had determined after the first two days that the detainees did not need to be transported to Bagram, and yet the ODA leadership kept possession of all eight men for an additional nine days. During this time, an additional two men were detained, beaten, and dunked into icy water to the point of nearly drowning. Both were released the next day with a report to the ODA's headquarters that the two men had been cooperative.

Parre claims that Jamal had been subjected to the harshest interrogation because, as the youngest of the eight detainees, he was perceived as being the most vulnerable. Jamal had complained to Parre during their detention about pain in his back and kidneys and told him about being forced to stand with his arms and legs spread apart while interrogators took turns beating him. On or around March 16,

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<sup>104</sup> Sack, "Two Deaths Were a 'Clue That Something's Wrong.'"

Jamal died. Parre was told by a member of the ODA that he had died from an illness—a stomach ailment, not at the hands of the Americans.<sup>105</sup> He claims to have responded, "My brother was healthy. His brain, his heart, his legs, he was not sick. He had no history of sickness or injury in any part of his body. He died because of your cruelty." A local hospital worker who prepared Jamal's body for burial claims "it was completely black" and the face was "completely swollen, as were his palms, and the soles of his feet were swollen double in size."<sup>106</sup>

Following Jamal's death, the ODA arranged with the district governor to have the remaining detainees transferred to the local jail. A local physician examined the prisoners. He claims the men were battered, bruised, and had untreated, open wounds and Parre's feet were black from blunt-force trauma. The remaining seven detainees spent a total of 58 days in captivity and no charges were ever filed against any of them.<sup>107</sup> It is unclear whether the ODA gained any intelligence of any value during the detention and torture of Jamal and the seven others.<sup>108</sup>

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<sup>105</sup> American Civil Liberties Union, "Documents Obtained By ACLU Describe Charges Of Murder And Torture Of Prisoners In U.S. Custody," April 16, 2008, URL: <http://www.aclu.org/national-security/documents-obtained-aclu-describe-charges-murder-and-torture-prisoners-us-custody>, accessed 6 June 2011.

<sup>106</sup> Sack, "Two Deaths Were a 'Clue That Something's Wrong.'"

<sup>107</sup> An investigation conducted by Afghan military prosecutors speculated that the prolonged imprisonment was intended to give the detainees' wounds time to heal.

<sup>108</sup> Sack, "Two Deaths Were a 'Clue That Something's Wrong.'"

#### **E. AN ODA'S OPPORTUNITY LOST TO INADEQUATE TRAINING**

The RKG-3 is an anti-tank hand grenade designed by the Soviet Union during the cold war. It looks like a soup can with a handle coming out of the bottom. What makes this grenade so lethal is that, unlike normal hand grenades that explode in a uni-directional manner, the RKG-3 has a shaped charge that focuses the intensity of the explosive into a single point of impact. This allows it to cut through armored vehicles that would deflect the fragmentation from a normal hand grenade. By late 2007, these grenades had become the weapon of choice for Iraqi insurgents targeting the U.S. convoys running up and down the highways between FOBs. Their lethality and effectiveness made locating the grenades and anyone storing or employing them a top priority.

The ODA had verified through a local informant that Ali had been selling RKG-3s out of his place of business. Ali owned a small toy store located in the local bazaar area. Once the location of Ali's home and business were confirmed through other sources, the ODA planned a raid with the Iraqi SWAT on the home that would be followed by a raid on the toy store. The front gate and door were unlocked, which allowed the entire assault force to enter and secure the house silently. Before Ali and his family could even comprehend what was happening, 25 armed men suddenly appeared in their house. Ali and the other males were separated for identification and tactical questioning, while the women were placed into a room containing the still-sleeping children. Tactical questioning and the search of the home had resulted in nothing of significant interest being discovered.

The assault team loaded back into its vehicles with Ali and two other men and prepared for the raid on the toy store. A surveillance team had been put in place to watch the bazaar to determine if the raid on Ali's house would cause anyone to panic and attempt to retrieve any hidden evidence from the toy store. No movement had been observed and so the raid force moved through the blacked out neighborhoods of Tikrit to secure the bazaar.

Two large steel doors that were secured by a huge padlock covered the front of the toy store. Ali didn't have the key with him and the demolitions expert on the ODA was more than happy at the chance to remove the lock with high explosives. After the lock was blown, the SWAT began to search the toy store for anything that could be used as evidence to hold Ali. During the search, two ODA members and two SWAT members continued the tactical questioning of Ali and the two other men from his house. Emotions were up. These guys had access to the same RKG-3s that were killing Americans. Two soldiers had been killed a few streets over by the grenades less than a week earlier.

After a half-hour with no sign of anything resembling an RKG-3, the SWAT began to ratchet up the questioning of Ali. The ODA members, having nothing but their SERE training to draw upon for experience in interrogations, increased their hostility of questioning as well. The tactical questioning was now being conducted through the "bad cop-bad cop" technique, but time was running short and the raid force needed evidence. Just as the tactical questioning was turning dangerously close to coercive means, one of the SWAT members claimed that he had found something. In the air

conditioning unit attached to Ali's toy store was a white rice bag containing two Chinese 60mm mortar rounds and three complete RKG-3s.

While coercive means were not used in this situation, the potential for them is easily recognizable. Training provided to the ODA on how to properly interrogate would not only have made them more effective, but would have allowed them to train the Iraqi SWAT, who all too often demonstrated a quick tendency to implement the coercive means they had witnessed during Saddam's rule. As with the previous case, the doctrinally imposed timelines, the lack of access to detainees, and the minimal amount of information passed back to the tactical unit from the detention facility only create additional pressure to expedite the gathering of information.



## V. CONCLUSION

The United States entered the current conflicts with interrogation doctrine built upon its experiences in World War II and the Cold War. The U.S. government had failed to conduct additional investigative research in the area of offensive interrogation strategies since the 1960s.<sup>109</sup> FM 2-22.3 was introduced to remedy the issues of abuse, but has resulted in handicapping the abilities of those tactical forces on the front lines that are most likely to require intelligence simply for survival. The requirement placed on these forces to provide large volumes of actionable intelligence has, however, only continued to steadily increase over time.

Current interrogation doctrine is a misfit for the irregular conflicts the nation is facing around the globe today. United States forces are not operating on a linear battlefield, and the information they need to be most effective cannot be determined by counting tanks with satellites. It must come from the population within which the enemy hides and from the enemy himself in order to effectively separate the population from the enemy. Most of assortment of enemy personnel and local population who are in the wrong place at the wrong time that are detained on the battlefield will possess little to no critical intelligence, but they may hold a piece of the larger puzzle. Forcing each and every detainee to operational and

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<sup>109</sup> Robert Fein, "U.S. Experience and Research in Educing Information: A Brief History," in *Educig Information-Interrogation: Science and Art*, ed. Robert Fein (Washington DC: National Defense Intelligence College, 2006), xiii.

strategic level detention facilities for interrogation wastes the time and energy of the certified interrogators at those levels and detracts from their interfacing with detainees who do possess critical intelligence. The fact that detainees reach the higher-level detention facilities with minimal data about their capture or background also decreases the effectiveness of the interrogators at those levels.

Rather than relying on doctrine and techniques designed for a conventional conflict where hundreds of young interrogators with limited life experience will interrogate hundreds of young prisoners with limited life experience and tactical knowledge, changes must be made to restore the flexibility of USSF to conduct lawful interrogation and provide them the tools to do so correctly. Adoption of these changes will have a significant impact for DoD to gather needed intelligence in the irregular conflicts of today and the future.

#### **A. BEGIN WITH U.S. ARMY SPECIAL FORCES**

Historically, Special Operations Forces (SOF) have provided a platform for the testing and evaluating tactics and technologies that could be adapted later to fit the larger U.S. Army. This allows for the new item to be thoroughly stressed and modified prior to a full investment being made towards issuing the item to the entire force. Applying this same model to the practice of tactical interrogation would allow for the recommendations included in this thesis to be incorporated and adjusted to meet the demands of USSF. Conventional tactical level units that need this skill based on being tasked to operate in an

irregular environment could be trained and granted the authority by exception and informed experience of USSF.

USSF possesses the need for this skill because of their primary missions and the fact that they are designed to operate primarily within the irregular environment in an autonomous manner. USSF are more mature and trained to a higher standard than their conventional counterparts. They were selected to become USSF based on their ability to operate within ambiguous situations. USSF already receives training in language and ethnography, while learning how to weave together the importance of the military, political, economic, and domestic issues within an operational environment—all key skills for a successful interrogator. These details increase the potential for USSF to conduct effective interrogations to better understand what information will assist at the tactical level and, more importantly, what intelligence information needs to be pushed to higher level decision makers.

## **B. TRAINING**

Training USSF for interrogation operations must begin with the basics. These include noncoercive methods and the ethical foundation to properly apply them. Noncoercive methods are consistent with the legal and moral traditions of the United States and, unlike coercive techniques and torture, are proven methods of gaining timely, accurate, and actionable intelligence. It will be key to demonstrate the effectiveness of noncoercive techniques and the numerous options available that are vastly opposite of what the USSF personnel "learned" in SERE. Focus must be placed on training for interrogations conducted to gather military

intelligence. Interrogations designed to this end vary significantly from law enforcement interrogations. Current efforts are underway through the interagency Highvalue Interrogation Group (HIG) to review and update interrogation concepts and skills using modern scientific research methods. USSF should support this research and offer to "field test" the processes the HIG recommends.

#### **1. Training Internal to SF**

Interrogation training for USSF should begin during the Special Forces Qualification Course. Based on the amount of time USSF soldiers spend interacting with detainees in the real world during the conduct of the current conflicts, the procedures of handling detainees and the benefits they can produce should be incorporated in this training course. This training could easily be emphasized and utilized during the course's unconventional warfare culmination exercise, "Robin Sage," adding to the realism and highlighting the benefits of gathering HUMINT through tactical interrogation.

Once USSF personnel are assigned to their specific unit within those who demonstrate a high propensity to conduct effective tactical interrogations should be selected for additional training. This training would not only allow these individuals to be more effective at gathering information through interrogation, but would provide them the knowledge and skill to monitor and mentor other members of their unit to ensure maximum efficiency of procedure and deter against the possibility of improper interrogation techniques being utilized. Based on discussions with former interrogation instructors, the level of interrogation training and instruction needed for an ODA to conduct

interrogation operations effectively could be accomplished in as little as five days with two weeks being optimal.<sup>110,111</sup> To ensure all personnel remained cognizant of the most current and correct methods, periodic recertification would be required to remain "certified" to conduct or assist with interrogation operations.

Implementing interrogation training into current training could be easily accomplished. The addition of a detainee/interrogation scenario into a pre-deployment training plan or a rotation through one of the Combat Training Centers would take minimal resources. Inclusion of this scenario would increase the realism of the training, increase the opportunity to enhance its skills at acquiring force protection information and assets, and would stress to the trainees the importance of learning both intelligence and information.

## **2. Training Outside of SF**

Training on any subject without the inclusion of expertise will only bring an organization to a certain level of proficiency. To move beyond that point, experts must be accessed. The use of "internships" allowing individual USSF personnel who demonstrated an above average propensity for conducting interrogation to rotate into organizations consisting of professional interrogators would accomplish this goal.

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<sup>110</sup> Randy Burkett (National Intelligence Chair, Central Intelligence Agency Representative, Naval Postgraduate School), in discussion with the author, March 2011.

<sup>111</sup> Steve Kleinman (Senior Advisor and Strategist, The Soufan Group), in discussion with the author, March 2011.

Attaching USSF soldiers to a U.S. military interrogation unit or a civilian organization such as the HIG for a short amount of time would prove beneficial. USSF would gain invaluable "on the job training" assisting in actual interrogations. Learning from professional interrogators would allow USSF to perfect their planning processes and approach techniques increasing their proficiency and ability to gather intelligence when they returned to their unit to conduct FID or UW missions. Additional assistance would only help the already overworked interrogation organizations at the operational and strategic levels allowing them to expend resources in a more targeted manner. The USSF personnel would not only complete these "internship" assignments as better interrogators, but they would possess an increased understanding for the specific pieces of intelligence desired by higher level decision makers.

### **C. THE ROAD AHEAD**

To conclude, the need for HUMINT by the U.S. government in the current irregular conflicts only increases. The current doctrine, designed and implemented in response to the mistreatment of detainees at Abu Ghraib and solidified as law by issuance of an executive order, is having the unintended consequence of inhibiting the U.S. Army Special Forces' ability to exploit an enormous pool of potential intelligence by restricting the use of interrogation to a mere handful of certified soldiers. This restriction is hampering units that operate at great distances from their higher headquarters and increases the risk to U.S. forces.

Information superiority is the key to victory in irregular warfare and interrogation is needed to gain this edge. USSF must be trained on the art and science of interrogation and doctrine and policy must be changed to grant the authorities for USSF to conduct interrogation operations on battlefields around the globe. The continued denial of the ability and authority to exploit a prime source of intelligence to units operating where the war is being fought is a shortcoming that is degrading operational capabilities. Failure to address this issue is degrading the U.S. military's ability to efficiently and effectively succeed in the irregular warfare environment of today and tomorrow.

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## APPENDIX A. FM 2-22.3, CHAPTER 1

FM 2-22.3

### PART ONE

## HUMINT Support, Planning, and Management

HUMINT collection activities include three general categories: screening, interrogation, and debriefing. In some cases these may be distinguished by legal distinctions between source categories such as between interrogation and debriefing. In others, the distinction is in the purpose of the questioning. Regardless of the type of activity, or goal of the collection effort, HUMINT collection operations must be characterized by effective support, planning, and management.

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### Chapter 1

## Introduction

### INTELLIGENCE BATTLEFIELD OPERATING SYSTEM

1-1. The Intelligence battlefield operating system (BOS) is one of seven operating systems—Intelligence, maneuver, fire support, air defense, mobility/countermobility/survivability, combat service support (CSS), and command and control—that enable commanders to build, employ, direct, and sustain combat power. The Intelligence BOS is a flexible force of Intelligence personnel, organizations, and equipment. Individually and collectively, these assets generate knowledge of and products portraying the enemy and the environmental features required by a command planning, preparing, executing, and assessing operations. Inherent within the Intelligence BOS is the capability to plan, direct, and synchronize intelligence, surveillance, and reconnaissance (ISR) operations; collect and process information; produce relevant intelligence; and disseminate intelligence and critical information in an understandable and presentable form to those who need it, when they need it. As one of the seven disciplines of the Intelligence BOS, HUMINT provides a capability to the supported commander in achieving information superiority on the battlefield.

### INTELLIGENCE PROCESS

1-2. Intelligence operations consist of the functions that constitute the intelligence process: **plan, prepare, collect, process, produce**, and the common tasks of **analyze, disseminate, and assess** that occur throughout the intelligence process. Just as the activities of the operations process overlap and recur as circumstances demand, so do the functions of the intelligence process. Additionally, the analyze, disseminate, and assess tasks

of the intelligence process occur continuously throughout the intelligence process. (See Figure 1-1.)

- **Plan.** This step of the intelligence process consists of activities that include assessing the situation, envisioning a desired outcome (also known as setting the vision), identifying pertinent information and intelligence requirements, developing a strategy for ISR operations to satisfy those requirements, directing intelligence operations, and synchronizing the ISR effort. The commander's intent, planning guidance, and commander's critical information requirements (CCIRs) (priority information requirements [PIRs] and friendly force information requirements [FFIRs]) drive the planning of intelligence operations. Commanders must involve their supporting staff judge advocate (SJA) when planning intelligence operations (especially HUMINT operations). Planning, managing, and coordinating these operations are continuous activities necessary to obtain information and produce intelligence essential to decisionmaking.
- **Prepare.** This step includes those staff and leader activities that take place upon receiving the operations plan (OPLAN), operations order (OPORD), warning order (WARNO), or commander's intent to improve the unit's ability to execute tasks or missions and survive on the battlefield.
- **Collect.** Recent ISR doctrine necessitates that the entire staff, especially the G3/S3 and G2/S2, must change their reconnaissance and surveillance (R&S) mindset to conducting ISR. The staff must carefully focus ISR on the CCIR but also enable the quick re-tasking of units and assets as the situation changes. This doctrinal requirement ensures that the enemy situation, not just our OPLAN, "drives" ISR operations. Well-developed procedures and carefully planned flexibility to support emerging targets, changing requirements, and the need to support combat assessment are critical. The G3/S3 and G2/S2 play a critical role in this challenging task that is sometimes referred to as "fighting ISR" because it is so staff intensive during planning and execution (it is an operation within the operation). Elements of all units on the battlefield obtain information and data about enemy forces, activities, facilities, and resources as well as information concerning the environmental and geographical characteristics of a particular area.
- **Process.** This step converts relevant information into a form suitable for analysis, production, or immediate use by the commander. Processing also includes sorting through large amounts of collected information and intelligence (multidiscipline reports from the unit's ISR assets, lateral and higher echelon units and organizations, and non-MI elements in the battlespace). Processing identifies and exploits that information which is pertinent to the commander's intelligence requirements and facilitates situational understanding. Examples of processing include developing film, enhancing imagery, translating a document from a foreign language, converting electronic data into a standardized report that can be analyzed by a system operator, and

correlating dissimilar or jumbled information by assembling like elements before the information is forwarded for analysis.

- **Produce.** In this step, the G2/S2 integrates evaluated, analyzed, and interpreted information from single or multiple sources and disciplines into finished intelligence products. Like collection operations, the G2/S2 must ensure the unit's information processing and intelligence production are prioritized and synchronized to support answering the collection requirements.

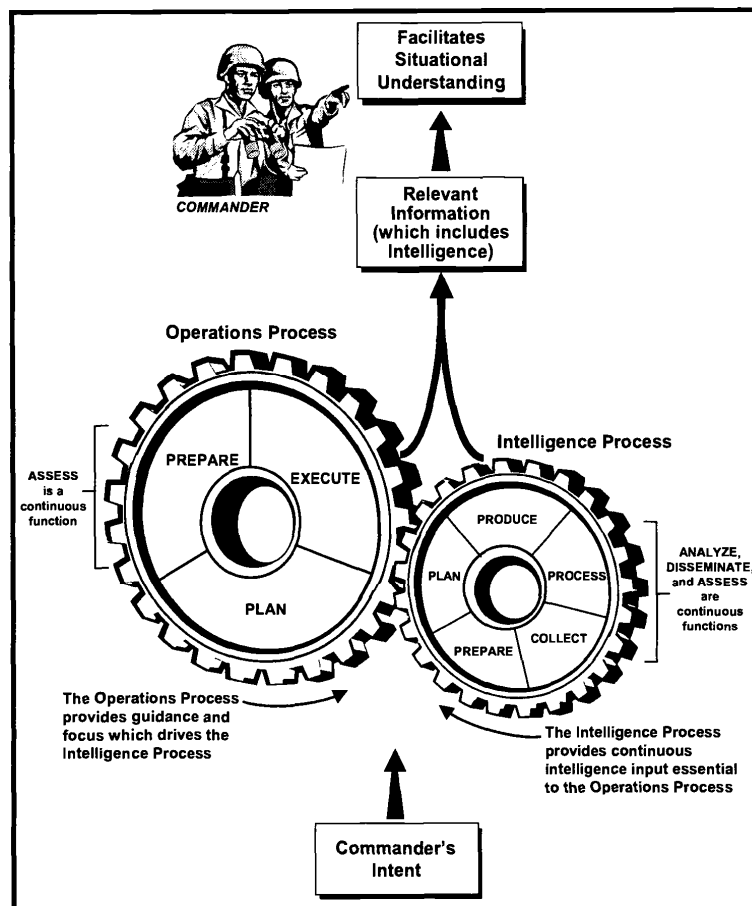


Figure 1-1. Intelligence Process.

1-3. For more information on the Intelligence process, see FM 2-0.

## HUMAN INTELLIGENCE

1-4. HUMINT is the collection of information by a trained HUMINT collector (military occupational specialties [MOSs] 97E, 351Y [formerly 351C], 351M [formerly 351E], 35E, and 35F), from people and their associated documents and media sources to identify elements, intentions, composition, strength, dispositions, tactics, equipment, personnel, and capabilities. It uses human sources as a tool and a variety of collection methods, both passively and actively, to gather information to satisfy the commander's intelligence requirements and cross-cue other intelligence disciplines.

1-5. HUMINT tasks include but are not limited to—

- Conducting source operations.
- Liaising with host nation (HN) officials and allied counterparts.
- Eliciting information from select sources.
- Debriefing US and allied forces and civilian personnel including refugees, displaced persons (DPs), third-country nationals, and local inhabitants.
- Interrogating EPWs and other detainees.
- Initially exploiting documents, media, and materiel.

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*Note.* In accordance with Army regulatory and policy guidance, a select set of intelligence personnel may be trained and certified to conduct certain HUMINT tasks outside of those which are standard for their primary MOS. Such selection and training will qualify these personnel to conduct only those specific additional tasks, and will not constitute qualifications as a HUMINT collector.

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## HUMINT SOURCE

1-6. A HUMINT source is a person from whom information can be obtained. The source may either possess first- or second-hand knowledge normally obtained through sight or hearing. Potential HUMINT sources include threat, neutral, and friendly military and civilian personnel. Categories of HUMINT sources include but are not limited to detainees, refugees, DPs, local inhabitants, friendly forces, and members of foreign governmental and non-governmental organizations (NGOs).

## HUMINT COLLECTOR

1-7. For the purpose of this manual, a HUMINT collector is a person who is specifically trained and certified for, tasked with, and engages in the collection of information from individuals (HUMINT sources) for the purpose of answering intelligence information requirements. HUMINT collectors specifically include enlisted personnel in MOS 97E, Warrant Officers (WOs) in MOS 351M (351E) and MOS 351Y (351C), commissioned officers in MOS 35E and MOS 35F, select other specially trained MOSs, and their Federal civilian employee and civilian contractor counterparts. These specially trained and certified individuals are the **only** personnel authorized to conduct HUMINT collection operations, although CI agents also use HUMINT collection techniques in the conduct of CI operations. HUMINT



collection operations must be conducted in accordance with applicable law and policy. Applicable law and policy include US law; the law of war; relevant international law; relevant directives including DOD Directive 3115.09, "DOD Intelligence Interrogations, Detainee Debriefings, and Tactical Questioning"; DOD Directive 2310.1E, "The Department of Defense Detainee Program"; DOD instructions; and military execute orders including FRAGOs. Additional policies and regulations apply to management of contractors engaged in HUMINT collection. (See Bibliography for additional references on contractor management.) HUMINT collectors are not to be confused with CI agents, MOS 97B and WO MOS 351L (351B). CI agents are trained and certified for, tasked with, and carry out the mission of denying the enemy the ability to collect information on the activities and intentions of friendly forces. Although personnel in 97E and 97B MOSs may use similar methods to carry out their missions, commanders should not use them interchangeably. See Figure 1-2 for HUMINT and CI functions.

#### **PHASES OF HUMINT COLLECTION**

1-8. Every HUMINT questioning session, regardless of the methodology used or the type of operation, consists of five phases. The five phases of HUMINT collection are planning and preparation, approach, questioning, termination, and reporting. They are generally sequential; however, reporting may occur at any point within the process when critical information is obtained and the approach techniques used will be reinforced as required through the questioning and termination phases.

##### **Planning and Preparation**

1-9. During this phase, the HUMINT collector conducts the necessary research and operational planning in preparation for a specific collection effort with a specific source. Chapter 7 discusses this phase in detail.

##### **Approach**

1-10. During the approach phase, the HUMINT collector establishes the conditions of control and rapport to gain the cooperation of the source and to facilitate information collection. Chapter 8 discusses approach and termination strategies in detail.

##### **Questioning**

1-11. During the questioning phase, the HUMINT collector uses an interrogation, debriefing, or elicitation methodology to ask a source questions systematically on relevant topics, collect information in response to the intelligence tasking, and ascertain source veracity. Chapter 9 discusses questioning techniques in detail. (See Appendix B for a source and reliability matrix.)

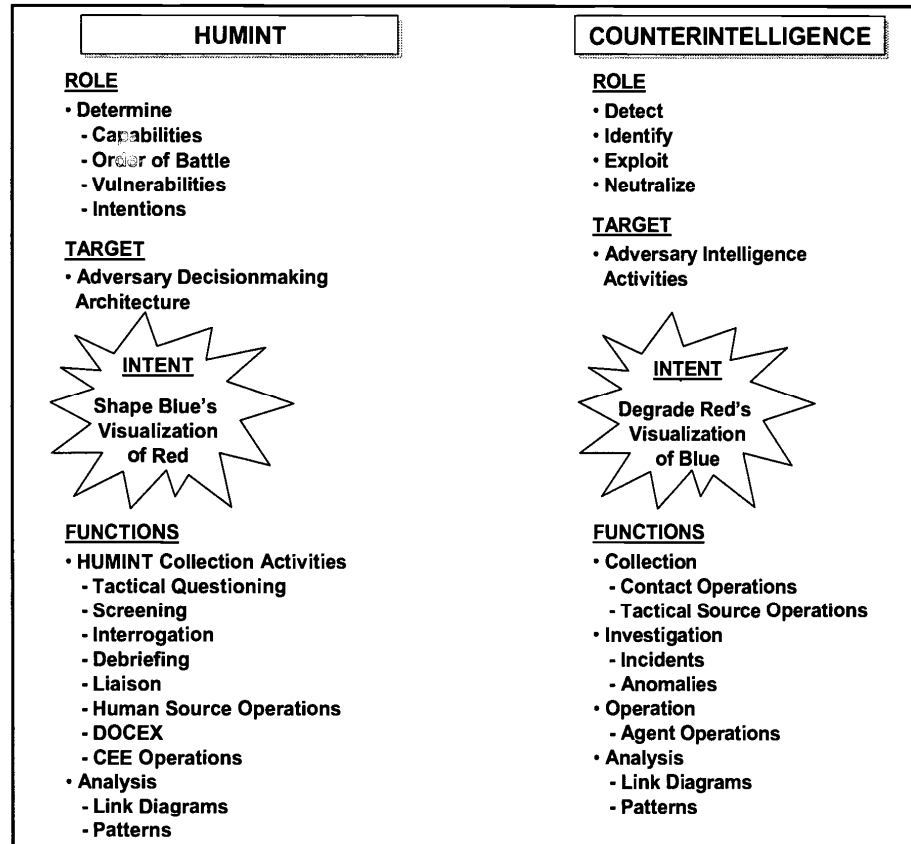


Figure 1-2. HUMINT and CI Functions.

**Termination**

1-12. During the termination phase, the HUMINT collector completes a questioning session and establishes the necessary conditions for future collection from the same source by himself or another HUMINT collector. (See Chapter 8.)

**Reporting**

1-13. During the reporting phase, the HUMINT collector writes, edits, and submits written, and possibly oral, reports on information collected in the course of a HUMINT collection effort. These reports will be reviewed, edited, and analyzed as they are forwarded through the appropriate channels. Chapter 10 discusses reporting in detail.

## HUMINT COLLECTION AND RELATED ACTIVITIES

1-14. HUMINT collection activities include these categories: tactical questioning, screening, interrogation, debriefing, liaison, human source contact operations (SCOs), document exploitation (DOCEX), and captured enemy equipment (CEE) operations. DOCEX and CEE operations are activities supported by HUMINT collection but usually are only conducted by HUMINT collectors when the CEE or captured enemy document (CED) is associated with a source being questioned. In some cases, these determinations may depend on legal distinctions between collection methods such as interrogation and debriefing. In others, the distinction is in the purpose of the questioning. For example, screening is used to identify the knowledgeability and cooperation of a source, as opposed to the other activities that are used to collect information for intelligence purposes.

1-15. The activities may be conducted interactively. For example, a HUMINT collector may be screening a potential source. During the course of the screening, the HUMINT collector identifies that the individual has information that can answer requirements. He might at that point debrief or interrogate the source on that specific area. He will then return to screening the source to identify other potential areas of interest.

1-16. HUMINT collection activities vary depending on the source of the information. Once the type of activity has been determined, leaders use the process of plan, prepare, execute, and assess to conduct the activity. The following are the different types of HUMINT collection activities.

### TACTICAL QUESTIONING

1-17. Tactical questioning is expedient initial questioning for information of immediate tactical value. Tactical questioning is generally performed by members of patrols, but can be done by any DOD personnel. (See ST 2-91.6.)

### SCREENING

1-18. Screening is the process of identifying and assessing the areas of knowledge, cooperation, and possible approach techniques for an individual who has information of intelligence value. Indicators and discriminators used in screening can range from general appearance, possessions, and attitude to specific questions to assess areas of knowledge and degree of cooperation to establish if an individual matches a predetermined source profile. Screening is not in itself an intelligence collection technique but a timesaving measure that identifies those individuals most likely to have information of value.

1-19. Screening operations are conducted to identify the level of knowledge, level of cooperation, and the placement and access of a given source. Screening operations can also assist in the determination of which discipline or agency can best conduct the exploitation. Chapter 6 discusses screening in detail. Screening operations include but are not limited to—

- Mobile and static checkpoint screening, including screening of refugees and DPs.
- Locally employed personnel screening.

- Screening as part of a cordon and search operation.
- EPW and detainee screening.

## INTERROGATION

1-20. Interrogation is the systematic effort to procure information to answer specific collection requirements by direct and indirect questioning techniques of a person who is in the custody of the forces conducting the questioning. Some examples of interrogation sources include EPWs and other detainees. Interrogation sources range from totally cooperative to highly antagonistic. Interrogations may be conducted at all echelons in all operational environments. Detainee interrogation operations conducted at a Military Police (MP) facility, coalition-operated facility, or other agency-operated collection facility are more robust and require greater planning, but have greater logistical support. Interrogations may only be conducted by personnel trained and certified in the interrogation methodology, including personnel in MOSs 97E, 351M (351E), or select others as may be approved by DOD policy. Interrogations are always to be conducted in accordance with the Law of War, regardless of the echelon or operational environment in which the HUMINT collector is operating.

## DEBRIEFING

1-21. Debriefing is the process of questioning cooperating human sources to satisfy intelligence requirements, consistent with applicable law. The source usually is not in custody and usually is willing to cooperate. Debriefing may be conducted at all echelons and in all operational environments. The primary categories of sources for debriefing are refugees, émigrés, DPs, and local civilians; and friendly forces.

- **Refugees, Émigrés, DPs, and Local Civilians Debriefing Operations.** Refugee, émigré, and DP debriefing operations are the process of questioning cooperating refugees and émigrés to satisfy intelligence requirements. The refugee may or may not be in custody, and a refugee or émigré's willingness to cooperate need not be immediate or constant. Refugee debriefings are usually conducted at refugee collection points or checkpoints and may be conducted in coordination with civil affairs (CA) or MP operations. Local civilian debriefing operations are the process of questioning cooperating local civilians to satisfy intelligence requirements. As with refugees and émigrés, the local civilians being debriefed may or may not be in custody and the civilian's willingness to cooperate may not be immediate or constant. Debriefing operations must be conducted consistent with applicable law and policy. Applicable law and policy include US law; the law of war; relevant international law; relevant directives including DOD Directive 3115.09, "DOD Intelligence Interrogations, Detainee Debriefings, and Tactical Questioning"; DOD Directive 2310.1E, "The Department of Defense Detainee Program"; DOD instructions; and military execute orders including FRAGOs.
- **Friendly Force Debriefing Operations.** Friendly force debriefing operations are the systematic debriefing of US forces to answer

collection requirements. These operations must be coordinated with US units. (See Chapter 6.)

#### **LIAISON OPERATIONS**

1-22. Liaison operations are programs to coordinate activities and exchange information with host country and allied military and civilian agencies and NGOs.

#### **HUMAN SOURCE CONTACT OPERATIONS**

1-23. Human SCO are operations directed toward the establishment of human sources who have agreed to meet and cooperate with HUMINT collectors for the purpose of providing information. Within the Army, SCO are conducted by trained personnel under the direction of military commanders. The entire range of HUMINT collection operations can be employed. SCO sources include one-time contacts, continuous contacts, and formal contacts from debriefings, liaison, and contact operations. SCO consist of collection activities that utilize human sources to identify attitude, intentions, composition, strength, dispositions, tactics, equipment, target development, personnel, and capabilities of those elements that pose a potential or actual threat to US and coalition forces. SCO are also employed to develop local source or informant networks that provide early warning of imminent danger to US and coalition forces and contribute to the Military Decision-Making Process (MDMP). See Chapter 5 for discussion of approval, coordination, and review for each type of activity.

#### **DOCEX OPERATIONS**

1-24. DOCEX operations are the systematic extraction of information from open, closed, published, and electronic source documents. These documents may include documents or data inside electronic communications equipment, including computers, telephones, Personal Digital Assistants (PDAs), and Global Positioning System (GPS) terminals. This operation is not solely a HUMINT function, but may be conducted by any intelligence personnel with appropriate language support.

1-25. Many CEDs are associated with EPWs and other human sources. Consequently, a HUMINT collector is often the first person to screen them. HUMINT collectors will screen the documents associated with human sources and will extract information of use to them in their immediate collection operation. Any information discovered during this initial screening that might cross-cue another collection effort will be forwarded to the appropriate unit.

1-26. A captured document is usually something that the enemy has written for his own use. For this reason, captured documents are usually truthful and accurate. There are cases in which falsified documents have been permitted to fall into enemy hands as a means of deception but these cases are not the norm. Normal policy of not relying on single-source information should help prevent deceptions of this type from being effective. Documents also do not forget or misinterpret information although it must be remembered that their authors may have. Usually, each document provides a portion of a

larger body of information. Each captured document, much like a single piece of a puzzle, contributes to the whole. In addition to tactical intelligence, technical data and political indicators that are important to strategic and national level agencies can sometimes be extracted from captured documents. Captured documents, while not affected by memory loss, are often time sensitive; therefore, they are to be quickly screened for possible exploitation.

#### CEE OPERATIONS

1-27. CEE includes all types of foreign and non-foreign materiel found on a detainee or on the battlefield that may have a military application or answer a collection requirement. The capturing unit must—

- Recognize certain CEE as having immediate intelligence value, and immediately forward such CEE to the unit's S2. Such items include—
  - All electronic communications equipment with a memory card, including computers, telephones, PDAs, and GPS terminals.
  - All video or photographic equipment.
- Recognize certain CEE as having technical intelligence (TECHINT) value. Such items include—
  - New weapons.
  - All communications equipment not immediately exploitable for HUMINT value.
  - Track vehicles.
  - Equipment manuals.
  - All CEE known or believed to be of TECHINT interest.
- Evacuate the equipment with the detainee.
- Confiscate, tag, and evacuate weapons and other equipment found on the detainee the same as CEDs. (See Appendix D.)
- Secure and report the capture of TECHINT items to the unit's S2 for disposition instructions.

#### TRAITS OF A HUMINT COLLECTOR

1-28. HUMINT collection is a science and an art. Although many HUMINT collection skills may be taught, the development of a skilled HUMINT collector requires experience in dealing with people in all conditions and under all circumstances. Although there are many intangibles in the definition of a "good" HUMINT collector, certain character traits are invaluable:

- **Alertness.** The HUMINT collector must be alert on several levels while conducting HUMINT collection. He must concentrate on the information being provided by the source and be constantly evaluating the information for both value and veracity based on collection requirements, current intelligence, and other information obtained from the source. Simultaneously, he must be alert not only to what the source says but also to how it is said and the accompanying body language to assess the source's truthfulness, degree of cooperation, and current mood. He needs to know when to give the source a break and

when to press the source harder. In addition, the HUMINT collector constantly must be alert to his environment to ensure his personal security and that of his source.

- **Patience and Tact.** The HUMINT collector must have patience and tact in creating and maintaining rapport between himself and the source, thereby enhancing the success of the questioning. Displaying impatience may—
  - Encourage a difficult source to think that if he remains unresponsive for a little longer, the HUMINT collector will stop questioning.
  - Cause the source to lose respect for the HUMINT collector, thereby reducing the HUMINT collector's effectiveness.
- **Credibility.** The HUMINT collector must provide a clear, accurate, and professional product and an accurate assessment of his capabilities. He must be able to clearly articulate complex situations and concepts. The HUMINT collector must also maintain credibility with his source. He must present himself in a believable and consistent manner, and follow through on any promises made as well as never to promise what cannot be delivered.
- **Objectivity and Self-control.** The HUMINT collector must also be totally objective in evaluating the information obtained. The HUMINT collector must maintain an objective and dispassionate attitude regardless of the emotional reactions he may actually experience or simulate during a questioning session. Without objectivity, he may unconsciously distort the information acquired. He may also be unable to vary his questioning and approach techniques effectively. He must have exceptional self-control to avoid displays of genuine anger, irritation, sympathy, or weariness that may cause him to lose the initiative during questioning but be able to fake any of these emotions as necessary. He must not become emotionally involved with the source.
- **Adaptability.** A HUMINT collector must adapt to the many and varied personalities which he will encounter. He must also adapt to all types of locations, operational tempos, and operational environments. He should try to imagine himself in the source's position. By being adaptable, he can smoothly shift his questioning and approach techniques according to the operational environment and the personality of the source.
- **Perseverance.** A tenacity of purpose can be the difference between a HUMINT collector who is merely good and one who is superior. A HUMINT collector who becomes easily discouraged by opposition, non-cooperation, or other difficulties will not aggressively pursue the objective to a successful conclusion or exploit leads to other valuable information.
- **Appearance and Demeanor.** The HUMINT collector's personal appearance may greatly influence the conduct of any HUMINT collection operation and attitude of the source toward the HUMINT collector. Usually an organized and professional appearance will favorably influence the source. If the HUMINT collector's manner

reflects fairness, strength, and efficiency, the source may prove more cooperative and more receptive to questioning.

- **Initiative.** Achieving and maintaining the initiative are essential to a successful questioning session just as the offensive is the key to success in combat operations. The HUMINT collector must grasp the initiative and maintain it throughout all questioning phases. This does not mean he has to dominate the source physically; rather, it means that the HUMINT collector knows his requirements and continues to direct the collection toward those requirements.

## REQUIRED AREAS OF KNOWLEDGE

1-29. The HUMINT collector must be knowledgeable in a variety of areas in order to question sources effectively. The collector must prepare himself for operations in a particular theater or area of intelligence responsibility (AOIR) by conducting research. The G2 can be a valuable source of information for this preparatory research. The HUMINT collector should consult with order of battle (OB) technicians and analysts and collect information from open sources and from the Secret Internet Protocol Router Network (SIPRNET) to enhance his knowledge of the AOIR. Some of these areas of required knowledge are—

- **The area of operations (AO)** including the social, political, and economic institutions; geography; history; language; and culture of the target area. Collectors must be aware of all ethnic, social, religious, political, criminal, tribal, and economic groups and the interrelationships between these groups.
- **All current and potential threat forces** within the AOIR and their organization, equipment, motivation, capabilities, limitations, and normal operational methodology.
- **Applicable law and policy that might affect HUMINT collection activities.** Applicable law and policy include US law; the law of war; relevant international law; relevant directives including DOD Directive 3115.09, "DOD Intelligence Interrogations, Detainee Debriefings, and Tactical Questioning"; DOD Directive 2310.1E, "The Department of Defense Detainee Program"; DOD instructions; and military execute orders including FRAGOs. HUMINT collectors are subject to applicable law, which includes US law, the law of war (including the Geneva Conventions as applicable), and relevant international law. Additionally, local agreements with HNs or allies and the applicable execute orders and rules of engagement (ROE) may further restrict HUMINT collection activities. However, these documents cannot permit interrogation actions that would be illegal under applicable US or international law.
- **The collection requirements,** including all specific information requirements (SIRs) and indicators that will lead to the answering of the intelligence requirements.



- **Cultural awareness** in the various AOs will have different social and regional considerations that affect communications and can affect the conduct of operations. These may include social taboos, desired behaviors, customs, and courtesies. The staff must include this information in pre-deployment training at all levels to ensure that personnel are properly equipped to interact with the local populace.

1-30. There are other areas of knowledge that help to develop more effective questioning:

- **Proficiency in the target language.** The HUMINT collector can normally use an interpreter (see Chapter 11) and machine translation as they are developed to conduct questioning. Language proficiency is a benefit to the HUMINT collector in a number of ways: He can save time in questioning, be more aware of nuances in the language that might verify or deny truthfulness, and better control and evaluate interpreters.
- **Understanding basic human behavior.** A HUMINT collector can best adapt himself to the source's personality and control of the source's reactions when he understands basic behavioral factors, traits, attitudes, drives, motivations, and inhibitions. He must not only understand basic behavioral principles but also know how these principles are manifested in the area and culture in which he is operating.
- **Neurolinguistics.** Neurolinguistics is a behavioral communication model and a set of procedures that improve communication skills. The HUMINT collector should read and react to nonverbal communications. He must be aware of the specific neurolinguistic clues of the cultural framework in which he is operating.

## CAPABILITIES AND LIMITATIONS

### CAPABILITIES

1-31. HUMINT collection capabilities include the ability to—

- Collect information and cross-cue from an almost endless variety of potential sources including friendly forces, civilians, detainees, and source-related documents.
- Focus on the collection of detailed information not available by other means. This includes information on threat intentions and local civilian and threat force attitudes and morale. It also includes building interiors and facilities that cannot be collected on by other means due to restrictive terrain.
- Corroborate or refute information collected from other R&S assets.
- Operate with minimal equipment and deploy in all operational environments in support of offensive, defensive, stability and reconstruction operations, or civil support operations. Based on solid planning and preparation, HUMINT collection can provide timely information if deployed forward in support of maneuver elements.

**LIMITATIONS**

## 1-32. HUMINT collection limitations include—

- Interpersonal abilities. HUMINT is dependent on the subjective interpersonal capabilities of the individual rather than on the abilities to operate collection equipment. HUMINT collection capability is based on experience within a specific AO that can only be developed over time.
- Identification of knowledgeable sources. There is often a multitude of potential HUMINT sources. Information in response to specific requirements can only be collected if sources are available and identified that have that information.
- Limited numbers. There are never enough HUMINT collectors to meet all requirements. Limited assets must be prioritized in support of units and operations based on their criticality.
- Time limitations. HUMINT collection, particularly source operations, takes time to develop. Collection requirements must be developed with sufficient lead-time for collection.
- Language limitations. Although HUMINT collectors can normally use an interpreter, a lack of language proficiency by the collector can significantly slow collection efforts. Such language proficiency takes time to develop.
- Misunderstanding of the HUMINT mission. HUMINT collectors are frequently used incorrectly and assigned missions that belong to CA, MP, interpreter or translators, CI, or other operational specialties.
- Commanders' risk management. Maneuver commanders, in weighing the risks associated with employing HUMINT collection teams (HCTs), should seriously consider the potential loss of a wealth of information such as enemy activities, locations of high-value personnel, and threats to the force that they will incur if they restrict HCT collection activities. J/G2Xs, operational management teams (OMTs), and HCT leaders must educate maneuver commanders on the benefits of providing security for HCTs and employing them in accordance with their capabilities.
- Legal obligations. Applicable law and policy govern HUMINT collection operations. Applicable law and policy include US law; the law of war; relevant international law; relevant directives including DOD Directive 3115.09, "DOD Intelligence Interrogations, Detainee Debriefings, and Tactical Questioning"; DOD Directive 2310.1E, "The Department of Defense Detainee Program"; DOD instructions; and military execute orders including FRAGOs. HUMINT operations may be further restricted by Status of Forces Agreements (SOFAs) and other agreements, execute orders and ROE, local laws, and an operational umbrella concept. Such documents, however, cannot permit interrogation actions that are illegal under applicable law.
- Connectivity and bandwidth requirements. With the exception of the size, activity, location, unit, time, equipment (SALUTE) report, most HUMINT reporting requires considerable bandwidth. Deployed

HUMINT teams must be able to travel to, and report from, all areas of the battlefield. Digital communication equipment must be able to provide reliable connectivity with teams' reporting channels and sufficient bandwidth for transmission of reports, including digital imagery.

- Timely reporting and immediate access to sources. Except in tactical situations when HUMINT collectors are in immediate support of maneuver units, HUMINT collection and reporting takes time. In stability and reconstruction operations, sources need to be assessed and developed. Once they are developed, they need to be contacted which often takes time and coordination. In offensive and defensive operations, HUMINT collection at detainee holding areas sometimes may still be timely enough to meet tactical and operational requirements. See paragraphs 3-2 and 3-7 for more information on offensive and defensive operations.

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APPENDIX B. EXECUTIVE ORDER 13491-ENSURING LAWFUL  
INTERROGATIONS



# Federal Register

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Tuesday,  
January 27, 2009

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## Part V

### The President

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Executive Order 13491—Ensuring Lawful  
Interrogations

Executive Order 13492—Review and  
Disposition of Individuals Detained at the  
Guantánamo Bay Naval Base and Closure  
of Detention Facilities

Executive Order 13493—Review of  
Detention Policy Options

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## Presidential Documents

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## Title 3—

## Executive Order 13491 of January 22, 2009

## The President

## Ensuring Lawful Interrogations

By the authority vested in me by the Constitution and the laws of the United States of America, in order to improve the effectiveness of human intelligence-gathering, to promote the safe, lawful, and humane treatment of individuals in United States custody and of United States personnel who are detained in armed conflicts, to ensure compliance with the treaty obligations of the United States, including the Geneva Conventions, and to take care that the laws of the United States are faithfully executed, I hereby order as follows:

**Section 1. Revocation.** Executive Order 13440 of July 20, 2007, is revoked. All executive directives, orders, and regulations inconsistent with this order, including but not limited to those issued to or by the Central Intelligence Agency (CIA) from September 11, 2001, to January 20, 2009, concerning detention or the interrogation of detained individuals, are revoked to the extent of their inconsistency with this order. Heads of departments and agencies shall take all necessary steps to ensure that all directives, orders, and regulations of their respective departments or agencies are consistent with this order. Upon request, the Attorney General shall provide guidance about which directives, orders, and regulations are inconsistent with this order.

**Sec. 2. Definitions.** As used in this order:

(a) “Army Field Manual 2–22.3” means FM 2–22.3, Human Intelligence Collector Operations, issued by the Department of the Army on September 6, 2006.

(b) “Army Field Manual 34–52” means FM 34–52, Intelligence Interrogation, issued by the Department of the Army on May 8, 1987.

(c) “Common Article 3” means Article 3 of each of the Geneva Conventions.

(d) “Convention Against Torture” means the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, December 10, 1984, 1465 U.N.T.S. 85, S. Treaty Doc. No. 100–20 (1988).

(e) “Geneva Conventions” means:

(i) the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, August 12, 1949 (6 UST 3114);

(ii) the Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, August 12, 1949 (6 UST 3217);

(iii) the Convention Relative to the Treatment of Prisoners of War, August 12, 1949 (6 UST 3316); and

(iv) the Convention Relative to the Protection of Civilian Persons in Time of War, August 12, 1949 (6 UST 3516).

(f) “Treated humanely,” “violence to life and person,” “murder of all kinds,” “mutilation,” “cruel treatment,” “torture,” “outrages upon personal dignity,” and “humiliating and degrading treatment” refer to, and have the same meaning as, those same terms in Common Article 3.

(g) The terms “detention facilities” and “detention facility” in section 4(a) of this order do not refer to facilities used only to hold people on a short-term, transitory basis.

**Sec. 3. *Standards and Practices for Interrogation of Individuals in the Custody or Control of the United States in Armed Conflicts.***

(a) **Common Article 3 Standards as a Minimum Baseline.** Consistent with the requirements of the Federal torture statute, 18 U.S.C. 2340–2340A, section 1003 of the Detainee Treatment Act of 2005, 42 U.S.C. 2000dd, the Convention Against Torture, Common Article 3, and other laws regulating the treatment and interrogation of individuals detained in any armed conflict, such persons shall in all circumstances be treated humanely and shall not be subjected to violence to life and person (including murder of all kinds, mutilation, cruel treatment, and torture), nor to outrages upon personal dignity (including humiliating and degrading treatment), whenever such individuals are in the custody or under the effective control of an officer, employee, or other agent of the United States Government or detained within a facility owned, operated, or controlled by a department or agency of the United States.

(b) **Interrogation Techniques and Interrogation-Related Treatment.** Effective immediately, an individual in the custody or under the effective control of an officer, employee, or other agent of the United States Government, or detained within a facility owned, operated, or controlled by a department or agency of the United States, in any armed conflict, shall not be subjected to any interrogation technique or approach, or any treatment related to interrogation, that is not authorized by and listed in Army Field Manual 2–22.3 (Manual). Interrogation techniques, approaches, and treatments described in the Manual shall be implemented strictly in accord with the principles, processes, conditions, and limitations the Manual prescribes. Where processes required by the Manual, such as a requirement of approval by specified Department of Defense officials, are inapposite to a department or an agency other than the Department of Defense, such a department or agency shall use processes that are substantially equivalent to the processes the Manual prescribes for the Department of Defense. Nothing in this section shall preclude the Federal Bureau of Investigation, or other Federal law enforcement agencies, from continuing to use authorized, non-coercive techniques of interrogation that are designed to elicit voluntary statements and do not involve the use of force, threats, or promises.

(c) **Interpretations of Common Article 3 and the Army Field Manual.** From this day forward, unless the Attorney General with appropriate consultation provides further guidance, officers, employees, and other agents of the United States Government may, in conducting interrogations, act in reliance upon Army Field Manual 2–22.3, but may not, in conducting interrogations, rely upon any interpretation of the law governing interrogation—including interpretations of Federal criminal laws, the Convention Against Torture, Common Article 3, Army Field Manual 2–22.3, and its predecessor document, Army Field Manual 34–52—issued by the Department of Justice between September 11, 2001, and January 20, 2009.

**Sec. 4. *Prohibition of Certain Detention Facilities, and Red Cross Access to Detained Individuals.***

(a) **CIA Detention.** The CIA shall close as expeditiously as possible any detention facilities that it currently operates and shall not operate any such detention facility in the future.

(b) **International Committee of the Red Cross Access to Detained Individuals.** All departments and agencies of the Federal Government shall provide the International Committee of the Red Cross with notification of, and timely access to, any individual detained in any armed conflict in the custody or under the effective control of an officer, employee, or other agent of the United States Government or detained within a facility owned, operated, or controlled by a department or agency of the United States Government, consistent with Department of Defense regulations and policies.

**Sec. 5. *Special Interagency Task Force on Interrogation and Transfer Policies.***

(a) **Establishment of Special Interagency Task Force.** There shall be established a Special Task Force on Interrogation and Transfer Policies (Special Task Force) to review interrogation and transfer policies.

(b) **Membership.** The Special Task Force shall consist of the following members, or their designees:

(i) the Attorney General, who shall serve as Chair;

(ii) the Director of National Intelligence, who shall serve as Co-Vice-Chair;

(iii) the Secretary of Defense, who shall serve as Co-Vice-Chair;

(iv) the Secretary of State;

(v) the Secretary of Homeland Security;

(vi) the Director of the Central Intelligence Agency;

(vii) the Chairman of the Joint Chiefs of Staff; and

(viii) other officers or full-time or permanent part-time employees of the United States, as determined by the Chair, with the concurrence of the head of the department or agency concerned.

(c) **Staff.** The Chair may designate officers and employees within the Department of Justice to serve as staff to support the Special Task Force. At the request of the Chair, officers and employees from other departments or agencies may serve on the Special Task Force with the concurrence of the head of the department or agency that employ such individuals. Such staff must be officers or full-time or permanent part-time employees of the United States. The Chair shall designate an officer or employee of the Department of Justice to serve as the Executive Secretary of the Special Task Force.

(d) **Operation.** The Chair shall convene meetings of the Special Task Force, determine its agenda, and direct its work. The Chair may establish and direct subgroups of the Special Task Force, consisting exclusively of members of the Special Task Force, to deal with particular subjects.

(e) **Mission.** The mission of the Special Task Force shall be:

(i) to study and evaluate whether the interrogation practices and techniques in Army Field Manual 2-22.3, when employed by departments or agencies outside the military, provide an appropriate means of acquiring the intelligence necessary to protect the Nation, and, if warranted, to recommend any additional or different guidance for other departments or agencies; and

(ii) to study and evaluate the practices of transferring individuals to other nations in order to ensure that such practices comply with the domestic laws, international obligations, and policies of the United States and do not result in the transfer of individuals to other nations to face torture or otherwise for the purpose, or with the effect, of undermining or circumventing the commitments or obligations of the United States to ensure the humane treatment of individuals in its custody or control.

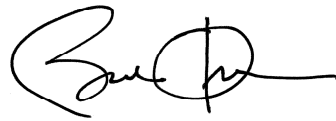
(f) **Administration.** The Special Task Force shall be established for administrative purposes within the Department of Justice and the Department of Justice shall, to the extent permitted by law and subject to the availability of appropriations, provide administrative support and funding for the Special Task Force.

(g) **Recommendations.** The Special Task Force shall provide a report to the President, through the Assistant to the President for National Security Affairs and the Counsel to the President, on the matters set forth in subsection (d) within 180 days of the date of this order, unless the Chair determines that an extension is necessary.

(h) **Termination.** The Chair shall terminate the Special Task Force upon the completion of its duties.



**Sec. 6. Construction with Other Laws.** Nothing in this order shall be construed to affect the obligations of officers, employees, and other agents of the United States Government to comply with all pertinent laws and treaties of the United States governing detention and interrogation, including but not limited to: the Fifth and Eighth Amendments to the United States Constitution; the Federal torture statute, 18 U.S.C. 2340–2340A; the War Crimes Act, 18 U.S.C. 2441; the Federal assault statute, 18 U.S.C. 113; the Federal maiming statute, 18 U.S.C. 114; the Federal “stalking” statute, 18 U.S.C. 2261A; articles 93, 124, 128, and 134 of the Uniform Code of Military Justice, 10 U.S.C. 893, 924, 928, and 934; section 1003 of the Detainee Treatment Act of 2005, 42 U.S.C. 2000dd; section 6(c) of the Military Commissions Act of 2006, Public Law 109–366; the Geneva Conventions; and the Convention Against Torture. Nothing in this order shall be construed to diminish any rights that any individual may have under these or other laws and treaties. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity against the United States, its departments, agencies, or other entities, its officers or employees, or any other person.



THE WHITE HOUSE,  
January 22, 2009.

[FR Doc. E9–1885  
Filed 1–26–09; 11:15 am]  
Billing code 3195–W9–P

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## APPENDIX C. WITHOUT TORTURE BY HANNS SCHARFF

The following is a German intelligence agent confession of how he made captures U.S. airmen talk...that was printed in Argosy a few years ago...

WITHOUT TORTURE  
by HANNS JOACHIM SCHARFF

WARNING: This is the most detailed inside story of enemy intelligence operations that the editors of ARGOSY have ever read. It is as fascinating and exciting as a fiction thriller, but every word of it is true - as far as it goes. We add this reservation because Scharff, as a former Nazi interrogator, slights a point which we feel needs emphasis. Several high Air Force officers have read the article and they back up this statement: Nazi intelligence techniques were good, and often employed a fiendish knowledge of psychology. Operatives like Scharff did not use the crafty, kid glove treatment described here out of respect for the Geneva Convention, or because of any reluctance to employ brutality. The Nazi record in other areas proves that point. They used this method on captured Allied airmen only because torture would not work.

During the years of the war I got up smartly from the chair at my desk about 500 times, clicked my heels, and in the most correct manner saluted an American officer. Each of those times the officer was a fighter pilot, and he was also a prisoner of Germany. I introduced myself to him:

"Lieutenant (sometimes it was Major and sometimes even Colonel), I am Hanns Joachim Scharff, Private First Class. It is my duty to ask you certain questions. I am also required by the terms of the Geneva Convention to remind you of your rights in regard to those questions. Will you be kind enough to take a chair?"

The Geneva Convention governing the treatment of prisoners of war provides that all prisoners must answer three questions: "Your name?" "Your rank?" "Your serial number?" It also provided that the prisoner could refuse to answer any further questions of any nature whatsoever.

My station was at Auswerstelle West, Oberursel, Germany, the center where all captured airmen except the Russians were interrogated. Every fighter pilot of the 8th and 9th U.S. Army Air Forces who fell into German hands was brought to my room. Room 47, at Oberursel. Every single one of them had been carefully indoctrinated by American intelligence to answer my first three questions, and then refuse to answer anything else. As it turned out, however, all but a handful out of the five hundred men who passed through Room 47 told me everything I wanted to know before I was done with them.

That is the reason I am in America today.

Your Department of Justice brought me here to testify in its prosecution of several men who stand accused of the most flagrant treason. But beyond these cases of obvious, actionable treason, the Department of Justice Officials were also inclined to feel some bitterness toward the American lads who had succumbed to my persuasions and had told me too much. I honestly believe that I was of some use in changing the attitude of the authorities toward these men.

I was permitted to say, "Isn't it a little unfair to challenge the reputations of those hundreds of young officers at this late day? They won the war for you, after all. Have you thought how many of our flyers each of them might have shot down before being finally forced down himself? And, finally, let me assure that they would have been more than ordinary humans if they had not broken down and answered my questions, for our methods were almost irresistible."

First, perhaps I should tell you a little something about myself- the man that "Stars and Stripes" called "Poke-Face" Scharff, and sometimes "Stone-Face" Scharff. I was born in Germany in 1907, but I spent most of my adult life at Johannesburg, in the British zone of South Africa. For generations back, my people had been members of the officer class of the German Army, but I went instead into business, and by 1939 I was General Director of Adlerwerkes (S.A.) Ltd.. the Johannesburg branch of the motor car manufacturers at Frankfurt.

As I say, my own family had been of the officer class. I was, therefore, well acquainted with the traditions of this class's attitude, which we were to maintain with great punctilio in our interrogations.

Back home at their training bases, and again in England, your men were indoctrinated quite thoroughly in the way they should behave if they fell into our hands as prisoners of war. As it turned out, that very indoctrination played into our hands.

First, your men were told that they must be prepared for torture, for mistreatment, for degradation and for severe punishments that would be applied to make them talk. Second, you told them that even if we did not torture them, so might ply them with drink and furnish them with insidious women who would break them down morally and spiritually to the point where they would answer any questions asked of them.

#### "Barbed-Wire Psychosis"

Alas for them, you told them little or nothing of what I call "barbed-wire psychosis". The very fact of being a prisoner exerts powerful pressures upon the mind and spirit of a man. He is instantly weighed down with a feeling of guilt, even though his capture is not his own fault at all. He feels guilty because he knows he is on the sidelines from now until the end of the game, that he cannot be in there fighting with his pals. He is, in short, about as unhappy in his spirit as a man can get to be.

Since we, too, were soldiers, it was but natural that we should exploit this state of mind.

We did that by behaving exactly the opposite to the way your men had been taught to expect. Instead of torture or degradation, we offered captured airmen the utmost in courtesy and consideration. Instead of booze and prostitutes, we took them to such cinema shows as we could manage to put on, and invited them to share our tea and coffee when we could get it.

Suppose, now, in order to describe our technique for making your fighter pilots talk to us, I put one man through the routine for you. I will call our pilot Jack Spratt--First Lieutenant Jack Spratt: 21 years old, a good looking chap with obvious courage and much composure.

When Lieutenant Spratt pulled up from his base in England on that final mission of his, to ride cover for a group of bombers heading toward our oil refineries, he carried with him not only the memory of a hundred briefings on how to handle himself if he should be forced down in enemy territory, but also a most carefully planned and packed little bundle--his escape kit. One of the buttons on his trousers was a tiny compass, or perhaps he had concealed the compass in the buckle of his belt. In his kit was a thin hacksaw blade, made of the finest steel. There was also food in highly concentrated form, a purifying tablet for drinking water, a stimulant against drowsiness in a tight situation. There was a miniature razor and a dwarf-size chopstick, since,

unshaven strangers in a foreign land arouse immediate suspicion. In the kit were land maps printed upon thin silk, and a variety of foreign currency. His secret orders for this particular mission, as for all the rest he had flown, were typed on sweetened rice paper so that he could swallow them quickly in an emergency.

Lieutenant Spratt also carried something else. The Americans were fully aware of the sometimes ridiculous fascination we had for travel papers, identity papers, certificates and safe conducts. This is the lumber that every European carried in his pocket as a matter of course, and that every petty official demands to see. Any of the French underground organizations that were helping Allied airmen to escape could supply the papers. They had the printed forms and the stamps, and the forged signatures that would make them look quite genuine. But the little, passport-size photographs of the bearer that must be affixed to these papers were something else again. The French underground had no facilities at all for making them. An so, back at his base in England, each aviator was given a set of five pictures of himself in civilian clothes - pictures that would make him look like a French peasant. I will have more to say about these pictures later.

#### False Safety in France

Somewhere over France, on his way to the target, Lieutenant Spratt heard his motor cough, felt his controls grow sloppy and then fade out altogether. He bailed out in his chute, and found friends among the French, and spent several weeks making his way through the dark night toward the Channel coast - toward a rendezvous with a boat that would take him and many others like him back to England, back to the base and freedom.

Finally, on the darkest night of all, he climbed into the boat with others, and set to sea. But he had not sailed for more than thirty minutes before he heard the sound of a fast and powerful motorboat. A white searchlight cut through the night. And before he could realize what was happening he was standing up with his hands clasped over his head, listening to orders that were given with a German accent.

#### How We Trapped Flyers

It was inevitable that our Gestapo discovered great many French underground stations. A considerable number of them were left quite undisturbed. We knew that your downed flyers used them as stations on the way to the coast, and we were quite content with that. For these points were carefully watched, and they sent a steady stream of Allied airmen into our hands--men we never took prisoner until they were away at sea and, as the underground people thought, safely on their way to England.

When Jack Spratt, with the others who were taken, got to Oberursel, he was put in a building we called the cooler--an American word much simpler to say than out own: Officiersbesprechung. It was a new building, but candor compels me to say that the lieutenant did not find it a pleasant one. His room was tiny. A cot and a chair. The window was of opaque glass so that he could not even catch a glimpse of blue sky. The walls were solid, and the door was solid, too, except for a little peephole. He could not see any of his mates, or even hear them talking. He was, in short, locked in solitary confinement. He was fed regularly, and books were provided, but solitary confinement, even at its best is a dreadfully upsetting thing.

#### Leading Questions

His first interrogation was not at my hands, but at the hands of an officer, in the primary screening room. Lieutenant Spratt answered the first three questions -- name and rank and number. Then the officer went on:

"That number. Is it United States Air Force or British?"

"Sorry, I'm not saying."

"Are you a bomber or a fighter?"

"Name, rank and number."

"When were you shot down?"

"Name, rank and number."

"Where were you shot down?"

"No answer."

"What is your home address?"

"Sorry."

"Will you have a cigarette?"

"Yes, thanks I will."

"Have you any dog-tags?"

"No, I lost them."

"What is the number of your military unit?"

"Not answering."

"Who is your next of kin?"

"Sorry."

"What type of plane do you fly?"

"Sorry."

"Do you expect me to be satisfied with these answers?"

"You know my orders, and my rights."

"Why do you wear civilian clothes if you are a soldier?"

"I tried to escape through France."

"Where from, in France?"

"Sorry."

"Who is your closest buddy?"

"Haven't any."

"Very well, Sign here."

Lieutenant Spratt was taken back to his cell. He was placed with himself. He had certainly won the first round. But the officer had made some deductions and formed some opinions. At the bottom of his report he noted: "Amerikanische vielleicht Jager?"

"Perhaps fighter pilot?" Which meant that Jack Spratt would be assigned to me for questioning, since fighter pilots were my speciality.

When he came to my room for the first time, his reaction was the customary one--surprise at the scene and at his reception. As I have said, I was not an officer myself, only a private, and I was most particular to maintain the proper military courtesy and respect to this man younger than myself. I speak English about as well as I do German. And if he had ever heard or read of "Poker-face Schaarff" he was unprepared for my aimable grin, my complete lack of resemblance to the stiff and sour-faced German inquisitor of the comic strips. I had acquired a fairly sound knowledge of American slang. My walls were covered with Varga and Petty pin-up girls.

There were American cigarettes and magazines on my desk, and I was careful always to have the latest editions of "Stars and Stripes".

Almost invariably, after introducing myself, I would invent some excuse to leave the room for a few moments, and I followed this routine with Lt. Spratt.

"I will not be long. Please make yourself completely at home. Help yourself to the cigarettes. And I know you will want to look at the "Stars and Stripes" to find out the latest news about Terry and the Pirates."

When I returned to begin my interrogation of the lieutenant he was relaxed, and perhaps his guard was lowered just a little. On the contrary, I wore an expression of some concern.

"It is a great pity you lost your dog-tags." I said. "I really think you had better tell me something to verify that name and rank and number you have given me."

He grinned and puffed his cigarette.

"But, Lieutenant, I'm afraid this is a little serious. Will you please step here to the window for a moment?"

#### Motley Prisoners

Down below in the prison yard, a new lot of prisoners had arrived by truck and were beginning to file into the cooler. It was a motley crowd, in the ill-fitting peasant clothes which were all the Frenchmen could find for them - some in wooden shoes, and some with their trousers halfway up to their knees.



"Lieutenant," I said, "do those chaps look like American flyers to you?"

"Not very much, I'll admit."

"They were caught by our agents, just as you were. Now let us suppose, for just a minute, that instead of being a flyer, you were British or an American spy. We caught you, and you have no dog-tags. You settle for the answers to three questions. You leave it entirely up to us to decide whether you are a spy who should be shot - or an honorable combat soldier, entitled to his rights, entitled to the privileges offered by the International Red Cross. If I were a spy, I would claim to be a flyer, wouldn't you?"

This turn of events startled him. The muscles of his jaws tightened.

"Now, Lieutenant, I suggest that you tell me just enough to prove to me that you are what you claim to be, and not a spy pretending to be a soldier. Perhaps the number of your outfit would settle my doubts. Perhaps a few technical things about your plane, that a flyer would know and a spy would not..."

"I have nothing whatever to say."

I smiled. "Well, perhaps tomorrow. You will think it over, I hope. And in the meantime, is your health good? Do you think you need a doctor for anything at all?"

"No."

"Good Afternoon, Lieutenant, Until tomorrow."

I saluted him, and he went back to his cell.

#### Information through Booty

Meanwhile, of course, the machinery of our organization at Oberursel had meshed into gear. I paid a visit, first of all, to that amazingly tireless and efficient woman, Frau Biehler. She was the chief of a bureau that we called BUNA-Beute und Nachrichten Abteilung, which may be translated as "Information through Booty."

Into BUNA went every scrap of material recovered from downed Allied planes and from their pilots, alive or dead. The file cases bulged with pilot's maps, some torn or burned and streaked with grease and blood. Many of them were marked with lines showing the courses for missions, or the point of rendezvous, or the target, and all were carefully preserved in cellophane. The cases also held pay books and mess-hall tickets, short-snorter bills, tram car tickets, letters, newspaper clippings, identification papers forged by the French underground, and photographs. Even so small a thing as a sort of mark

a mess-hall sergeant customarily used to cancel a meal ticket would sometimes be of critical importance to us in the interrogation of downed pilots - it would be the one clue leading to the complete identification of a prisoner.

I should interpose here that I knew perfectly well Jack Spratt was not a spy. But up to this point he was merely a name. He had to be fitted into the scheme of the war, if my future questioning of him was to be effective.

In addition to the file of material objects taken from planes and flyers, Frau Biehler maintained a complete, continuous history of every Air Force unit in every country of the Allies. She kept it up-to-date in two ways:

First, the press section. Into this office, from our agents abroad, came hometown newspapers and metropolitan magazines from all over the world. They were carefully studied. If Jimmy Jones, of Richmond, Virginia, fighter pilot in the 321st Group, won a Distinguished Flying Cross, the Times Dispatch would carry the news, and soon a clipping from the Times Dispatch would be tucked safely into our file on the 321st. Almost always, hometown papers would print a photograph of the distinguished ace, also, and those photographs were extremely useful.

In addition, there was a continuous flow into the files of BUNA from interrogators like myself - the exact transcripts of our conversations with prisoners, taken down mechanically without their knowledge. These transcripts were fitted into dossiers of the various units by a rather remarkable system of cross-indexing. From them, even the idlest joke of some prisoner who had passed through months before, might be the whole key to unraveling a new prisoner and making him talk to us. My first request to Frau Biehler: "Jack Spratt's identification papers were sent to you yesterday. What does Herr Nagel say?"

Herr Nagel - until the war, professor at Heidelberg, teaching Goethe in his relation to Shakespeare - was now a sergeant in field gray, working at BUNA. Early in the war he had discovered something, and now the extreme significance of those five little passport photos made in the English bases becomes clearer:

As Nagel's files began to develop, he noticed that one fact became startlingly apparent. Every air station in England seemed to have its own photographer. The same photographer took the little photos of all the airmen based there. For them, the airmen must pose in civilian clothes and they had no such outfits with them. So the photographer at each base bought one suit, one shirt, one necktie, in which he dressed every new man who had his picture taken for his escape kit.

Likewise, the photographer at any given day never bothered to vary the background against which he shot his picture. And each photographer had his own particular little way of cutting and trimming the final prints.

Herr Nagel spoke to me over the phone: "Those pictures of the man who says he's Spratt? Well, they were made by the photographer by the 355th Fighter Group at Saffron Walden. I'd know that striped necktie anywhere."

"Good! Now, Frau Biehler, will you please give me your file on General Dolittle's 8th Air Force, 65th Fighter Wing, 355th Fighter Group."

In a moment I was reading the full and intimate history of the 355th Group, Jack Spratt's outfit. I knew where it trained in America and what day it arrived in Scotland on the Queen Elizabeth. I read the names of all the commanders and the aces, and looked at the pictures of most of them, clipped from hometown newspapers. I looked at photographs of the aerodrome at Saffron Walden, the hangars and runways, the shops and the barracks. More important, perhaps, I refreshed my memory in the matter of the odd characters of the 355th., amusing anecdotes about them and fantastic adventures they had had. All of this last had been carefully preserved from the chit-chat dropped in the course of amiable conversation with previous members of the 355th who had passed through our hands - dropped in conversation after we had become friendly and relaxed.

But still I knew nothing about Jack Spratt's last mission - what had brought him down and where he came from. This was very necessary information for me to have if my further interrogation of him was to be successful, and so Frau Biehler put through a call for me to Sgt. Model, chief of the Abschusskartel - the Registry of German Victories.

Every time an Allied plane fell in territory that we controlled, news of that fact got to Sgt. Model very swiftly. Everybody, from flak posts to burgomeisters, from occupation soldiers to town policemen, was under orders to get the news through fast. When his telephone rang, and a report from some distant point started to come in, Sgt. Model began filling out a card. Code signs on it indicated the type of plane, the exact location of the crash. The country whose insigna appeared on the plane, and whether the occupants of it had been killed, or captured, or had escaped.

Sgt. Model had five cards that interested me. The pilots of all had got away and were unknown to us. And they were within the time limit appropriate to Jack Spratt's downing.

But two of these five planes were eliminated immediately. They had not burned when they struck the earth. Their numbers told us that they belonged to the 4th and 361st Fighter Groups. The third plane had burned, but enough of it had remained to show that it was a P-38, and I knew that Jack Spratt's

Group flew P-51 Mustangs. So we were left with two cards that might be Jack Spratt's plane, for both were Mustangs. One had crashed, after the pilot had bailed out, in northern Germany on April 15th. The other had fallen into a hillside in France, just a few miles west of The Rhein, on May 2nd. The second pilot, too, had bailed out and escaped.

Now to the wireless station. Here, in this compact building, the most able and alert radio personnel we could find listened every moment of every day to the wireless communications of your airmen - plane to plane, plane to base, base to plane. The "Funklage" that they recorded was totally complete. I turned to the pages for the two dates that interested me and among the thousand of entries for May 2nd:

"Catspaw Red Four to White One. Engine dead. Bailing out."

The time of the message was 1132 hrs. The frequency upon which it had been received at our station was 389.6 kilocycles.

One more telephone call: "Herr Kaspar, what outfit uses frequency 389.6?"

"Half a minute. Yes. Here we are. Used by USAAF Fighter Group 355. Their call sign is Catspaw."

I was ready for another chat with Lieutenant Jack Spratt.

#### What We Wanted to Know

Please let me explain that we did not hope to worm any secrets of the higher strategy out of these prisoners. We knew that they would have little information about vast enterprises like the plans for Normandy or the state of liaison with the Russians. But we did have some questions that needed answering, and they generally were given to interrogators like me at briefing sessions with our own higher command. On this day, for example, the colonels and the majors had told us there were three things we must learn from our prisoners:

1. What orders are given pilots to govern bombings and strafing attacks upon our railroad trains? Until a short time ago, locomotives were the chief target. Lately, many hits have landed midway of trains with great loss of life. Is this an accident of marksmanship, or have new orders been issued? We must know in order to devise counter-measures.
2. What is the significance of the shooting of ten white tracer bullets in quick succession during air combat?"
3. When do incoming escort fighters discharge their belly tanks? At first sight of our planes, or after making contact?

That afternoon, when Lt. Spratt was brought to my room again, I kept these critical questions far in the background as we begun to talk. I had something else to do first. The key to our whole psychological technique was to convince this young flyer that I knew already so much about him and his group that it would seem silly to continue a stubborn silence, to convince him that our information was already so complete that nothing else he could tell us would really matter.

So when I saluted and invited him to have a chair and a cigarette, I began with saying with a broad grin, "Well, we can stop worrying about whether we might mistake you for a spy."

He seemed relieved, but still a little wary, and I kept on grinning. I leaned forward with a wink. "Tell me, Lt., has Curly Brown ever got himself straightened out about the time he walked across the ceiling?"

#### An Old Yarn - From Our Files

It was an old yarn about the fellows in the 355th that had come out of Frau Biehler's file - a yarn spun by an earlier prisoner from that outfit and carefully written down for use on such an occasion as this. But the change of expression on Jack's face was almost imperceptible. "I don't know anybody named Curly Brown," he said stiffly.

"Good heavens! I said. "You from the 355th, and haven't heard that tale? Oh, surely you must remember. He got a little jingled there in the officer's club at Saffron Walden one night, and dozed off. Bill Cooper and Mike Jones took his shoes off. Then they made your chief steward, old Sniffy Megaw bring them some shoe polish and a ladder. They blackened the soles of Curly's shoes and climbed the ladder, and made his footprints up the wall and across the ceiling and down the other wall. The last I heard from your outfit, Curly had actually begun to believe that he walked across the ceiling."

Perhaps it is difficult for you to believe the profound effect this chatter had upon Jack Spratt. But then, of course, you are not 21 years old, a prisoner of war who has been in solitary confinement for days. He had obeyed his orders exactly. He had been in his determination not to answer even the simplest of our questions. And still we had him trapped! We knew what outfit he belonged to! We knew his pals by name!

I told him more yarns about his group, his buddies, just chinning along with no pretense that any of this was important. He sat pretty grimly, taking it all in. Then I said, "Look here, Lt., it's one hell of a fine day. I know you must be getting sick of it down there in the cooler. Let's go for a

### A Friendly Stroll

We strolled out through the country lanes. Under the circumstances, in the face of my obvious friendliness, by obvious manner of forgetting for a little while at least that we were military enemies, it was quite impossible for him to walk along in complete silence. The manners he had been taught in a pleasant home back in America prevented him from that sort of glumness. And so he began to talk a little himself. Oh, not about military matters - but about the trees and shrubs we passed, about the birds that sang in the thickets, about the castle on a distant hilltop. We came to a secluded little coffee house in the woods, and we went in and I ordered tea for both of us. There was no sugar for it, no lemon or cream, but it was hot and it tasted good.

I said, "That was a real tough break, your engine quitting down in the Rhineland."

He looked up sharply. "How do you know where it quit?"

I laughed. "But you were lucky it didn't quit a few minutes later, or you would have landed in Germany instead of France. On the other hand, these Mustangs of yours are tough articles, and it's a rare thing for an engine to quit in one at all."

I went on quickly, not waiting for him to answer, letting my complete familiarity with his identity and his adventures sink in. I talked about his commanding officer, who had married an English girl, and about the new fur collared jackets that some of the air groups were getting from general issue.

This display of intimate acquaintance with his affairs and his friends seemed to him altogether dazzling, and he could not keep his astonishment out of his young face. He had, of course, heard many romantic stories about the wonderful and mysterious German spy system, and he was about ready to decide now (as he told me later - as many of these young fellows told me after I was done with them) that perhaps some chap in his very own outfit was a German agent. He knew nothing about BUNA and Sgt. Nagel.

He was off balance now. Here, instead of being beaten with truncheons or seduced by wine and women, he was sitting in the quiet woods, talking to a pretty good skate of a fellow for a Kraut - who already knew all there was to know about the 355th, about Mustangs, and about Lt. Jack Spratt. What was all this gag about secrecy, and tight lips, and say nothing?

So at this point, knowing about what he was thinking, I used the next very simple bit of psychology. I told him some simple things about the logistic problems at the English bases, things he knew were true, and then I said, "It

is too bad that your industry back home has run out of chemicals for red-tracer bullets. Those white ones you are using in dogfights now-a-days must be rather tough to follow with the eye - you use so many of them in a string."

"You're nuts," he said. "They haven't run out of anything back home. We use those white tracers so that other guys in the formation can see what target every pilot is committed to, so they won't all be wasting bullets on the same Kraut plane."

"Yes? Well, have it your own way." And I changed the subject to some triviality, so quickly that he did not even realize I already had gotten from him the answer to one of my three critical questions.

#### I Get More Answers

An hour later, and two or more tea and cigarettes, I had the answers to the other two. And Jack Spratt was an enormously relieved young man. The tensions were off. Before he could even begin to worry about whether he had talked too much, we were strolling pleasantly back in the direction of the camp. And I was saying to him, "You're too much for me, Lieutenant. I'm giving up on you from now on. It's all in a war. No hard feelings, I can assure you. And, by the way, I know it's not very nice down there in that room all by yourself. Pretty soon you'll be sent to a permanent camp where you will be with your buddies all the time. Meanwhile, there's a cinema tonight if you want to go. And maybe you and I can get out for another stroll tomorrow if it is a pleasant day."

The transcript of our conversation, which I wrote out with great care as soon as I was alone, made interesting reading for our aviation people. During the next days, I had a half a dozen more talks with Lt. Spratt. I never asked him anymore questions at all. I simply told yarns that he had a natural impulse to match. I got more than a dozen new pages of anecdotes and personalities about the 355th Fighter Group, which I could hand over to Frau Biehler at BUNA. Our files on the group were brought up to date so we could talk about current things when the next pilot from the 355th fell into our hands.

Needless to say, there were countless variations upon this sequence of happenings and results with Lt. Jack Spratt. There were differences of character to cope with, differences of temperament. I would like to say that no American pilot talked to me through fear or through any ignoble hope of bettering his conditions as a prisoner. But all except--well, to be liberal in the estimate--all but about twenty out of more than 500 I interviewed did talk, and tell me exactly the things I was trying to find out.

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## APPENDIX D. "SUGGESTIONS FOR JAPANESE INTERPRETERS BASED ON WORK IN THE FIELD" BY SHERWOOD MORAN

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### SUGGESTIONS FOR JAPANESE INTERPRETERS BASED ON WORK IN THE FIELD

(Being selections from a letter to an interpreter just entering upon his work.)

First of all I wish to say that every interpreter (I like the word "interpreter" better, for any really efficient interpreter is first and last an interpreter) must be himself. He should not and cannot try to copy or imitate somebody else, or, in the words of the Japanese proverb, he will be like the crow trying to imitate the cormorant catching fish and drowning in the attempt ("U no mane suru karasu mizu ni oboreru"). But of course it goes without saying that the interpreter should be open to suggestions and should be a student of best methods. But his work will be based primarily upon his own character, his own experience, and his own temperament. These three things are of prime importance; strange as it may seem to say so, I think the first and the last are the most important of the three. Based on these three things, he will gradually work out a technique of his own, - his very own, just as a man does in making love to a woman! The comparison is not merely a flip bon mot; the interpreter should be a real wooer!

What I have to say concretely is divided into two sections: (1) The attitude of the interpreter towards his prisoner; (2) His knowledge and use of the language.

Let us take the first one, - his ATTITUDE. This is of prime importance, in many ways more important than his knowledge of the language. (Many people, I suppose, would on first thought think "attitude" had nothing to do with it; that all one needs is a knowledge of the language, then shoot out questions, and expect and demand a reply. Of course that is a very unthinking and naive point of view.)

I can simply tell you what my attitude is; I often tell a prisoner right at the start what my attitude is! I consider a prisoner (i.e. a man who has been captured and disarmed and in a perfectly safe place) as out of the war, out of the picture, and thus, in a way, not an enemy. (This is doubly so, psychologically and physically speaking, if he is wounded or starving.) Some self-appointed critics, self-styled "hard-boiled" people, will sneer that this is a sentimental attitude, and say, "Don't you know he will try to escape at first opportunity?" I reply, "Of course I do; wouldn't you?" But that is not the point. Notice that in the first part of this paragraph I used the word "safe". That is the point; get the prisoner to a safe place, where even he knows there is no hope of escape, that it is all over. Then forget, as it were, the "enemy" stuff, and the "prisoner" stuff. I tell them to forget it, telling them I am talking as a human being to a human being, (ningen to shite). And they respond to this.

5892-1  
(27 May 44)

-1-

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When it comes to the wounded, the sick, the tired, the sleepy, the starving, I consider that since they are out of the combat for good, they are simply needy human beings, needing our help, physical and spiritual. This is the standpoint of one human being thinking of another human being. But in addition, it is hard business common sense, and yields rich dividends from the Intelligence standpoint.

I consider that the Japanese soldier is a person to be pitied rather than hated. I consider (and I often tell them so) that they have been led around by the nose by their leaders; that they do not know, and have not been allowed to know for over 10 years what has really been going on in the world, etc. etc. The proverb "Ido no naka no kawazu taikai o shirazu" (The frog in the bottom of the well is not acquainted with the ocean) is sometimes a telling phrase to emphasize your point. But one must be careful not to antagonize them by such statements, by giving them the idea that you have a "superiority" standpoint, etc. etc.

But in relation to all the above, this is where "character" comes in, that I mentioned on the preceding page. One must be absolutely sincere. I mean that one must not just assume the above attitudes in order to gain the prisoner's confidence and get him to talk. He will know the difference. You must get him to know by the expression on your face, the glance of your eye, the tone of your voice, that you do think that "the men of the four seas are brothers," to quote a Japanese (and Chinese) proverb. (Shikai keitei.) One Japanese prisoner remarked to me that he thought I was a fine gentleman ("rippana shinshi"). I think that what he was meaning to convey was that he instinctively sensed that I was sincere, was trying to be fair, did not have it in for the Japanese as such. (My general attitude has already been brought out in the article "The Psychology of the Japanese.")

In regard to all the above, a person who has lived in Japan for a number of years has a big advantage. One can tell the prisoner how pleasant his life in Japan was; how many fine Japanese he knew, even mentioning names and places, students and their schools, how he had Japanese in his home, and vice versa, etc. etc. That alone will make a Japanese homesick. This line has infinite possibilities. If you know anything about Japanese history, art, politics, athletics, famous places, department stores, eating places, etc. etc. a conversation may be relatively interminable. I could write two or three pages on this alone. (I personally have had to break off conversations with Japanese prisoners, so willing were they to talk on and on.) I remember how I had quite a talk with one of our prisoners whom I had asked what his hobbies (shumi) etc. were. He mentioned swimming. (He had swum four miles to shore before we captured him.) We talked about the crawl stroke and about the Olympics. Right here all this goes to prove that being an "interpreter" is not simply being a Cook's tourist type of interpreter. He should be a man of culture, insight, resourcefulness, and with real conversational ability. He must have "gags"; he must have a "line". He must be alive; he must be warm; he must be vivid. But above all he must have integrity, sympathy; yet he must be firm, wise ("Wise as serpents but harmless as doves".) He must have dignity and a proper sense of values, but withal friendly, open and frank. Two characteristics I have not specifically mentioned: patience and tact.

5892-2  
(27 May 44)

-2-

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From the above, you will realize that most of these ideas are based on common sense. I might sum it all up by saying that a man should have sympathetic common sense. There may be some who read the above paragraphs (or rather just glance through them) who say it is just sentiment. But careful reading will show it is enlightened hard-boiled-ness.

Now in regard to the second point I have mentioned (on p 1), the knowledge and the use of the language. Notice that I say "knowledge" and "use". They are different. A man may have a perfect knowledge, as a linguist, of a language, and yet not be skillful and resourceful in its use. Questioning people, even in one's own language, is an art in itself, just as is selling goods. In fact, the good interpreter must, in essence, be a salesman, and a good one.

But first in regard to the knowledge of the language itself. Technical terms are important, but I do not feel they are nearly as important as a large general vocabulary, and freedom in the real idiomatic language of the Japanese. Even a person who knows little Japanese can memorize lists of technical phrases. After all, the first and most important victory for the interviewer to try to achieve is to get into the mind and into the heart of the person being interviewed. This is particularly so in the kind of work so typical of our Marine Corps, such as we experienced at Guadalcanal, - slam-bang methods, where, right in the midst of things we had what might be called "battle-field interpretation", where we snatched prisoners right off the battlefield while still bleeding, and the snipers were still sniping, and interviewed them as soon as they were able to talk. But even in the interviewing of prisoners later on, after they were removed from Guadalcanal, first at the advanced bases, and then at some central base far back. The fundamental thing would be to get an intellectual and spiritual en rapport with the prisoner. At the back bases you will doubtless have a specific assignment to question a prisoner (who has been questioned a number of times before) on some particular and highly technical problem; something about his submarine equipment, something about radar, range finders, bombsights, etc. etc. Of course at such a time, a man who does not know technical terms will be almost out of it. But he must have both: a large general vocabulary, with idiomatic phrases, compact and pithy phrases; and also technical words and phrases.

Now in regard to the use of the language. Often it is not advisable to get right down to business with the prisoner at the start. I seldom do. To begin right away in a business-like and statistical way to ask him his name, age, etc., and then pump him for military information, is neither good psychology nor very interesting for him or for you. Begin by asking him things about himself. Make him and his troubles the center of the stage, not you and your questions of war problems. If he is not wounded or tired out, you can ask him if he has been getting enough to eat; if he likes Western-style food. You can go on to say, musingly, as it were, "This war is a mess, isn't it! It's too bad we had to go to war, isn't it! Aren't people funny, scrapping the way they do! The world seems like a pack of dogs scrapping at each other." And so on. (Notice there is yet no word of condemnation or praise towards his or his country's attitude, simply a broad human approach.) You can ask if he has had cigarettes, if he is being treated all right, etc. If he is wounded you have a rare chance. Begin to talk about his wounds. Ask if the doctor or

5892-3  
(27 May 44)

-3-

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V - Jap

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corpsman has attended to him. Have him show you his wounds or burns. (They will like to do this!) The bombardier of one of the Japanese bombing planes shot down over Guadalcanal had his whole backside burned and had difficulty in sitting down. He appreciated my genuine sympathy and desire to have him fundamentally made comfortable. He was most affable and friendly, though very sad at having been taken prisoner. We had a number of interviews with him. There was nothing he was not willing to talk about. And this was a man who had been dropping bombs on us just the day before! On another occasion a soldier was brought in. A considerable chunk of his shinbone had been shot away. In such bad shape was he that we broke off in the middle of the interview to have his leg redressed. We were all interested in the redressing, in his leg, it was almost a social affair! And the point to note is that we really were interested, and not pretending to be interested in order to get information out of him. This was the prisoner who called out to me when I was leaving after that first interview, "Won't you please come and talk to me every day". (And yet people are continually asking us, "Are the Japanese prisoners really willing to talk?")

A score of illustrations such as the preceding could be cited. However, all this is of course preliminary. But even later on when you have started on questioning him for strictly war information, it is well not to be too systematic. Wander off into delightful channels of things of interest to him and to you. But when I say it is well not to be too systematic, I mean in the outward approach and presentation from a conversational standpoint. But in the workings of your mind you must be a model of system. You must know exactly what information you want, and come back to it repeatedly. Don't let your warm human interest, your genuine interest in the prisoner, cause you to be sidetracked by him! You should be hard-boiled but not half-baked. Deep human sympathy can go with a business-like, systematic and ruthlessly persistent approach.

I now wish to take up an important matter concerning which there is some difference of opinion. At certain bases where prisoners are kept, when some visitor comes to look over the equipment and general layout, as he comes to each individual cell where a prisoner is kept, the prisoner is required to jump up and stand at attention; even if he is asleep, they prod him and make him stand stiffly at attention. Again, when a prisoner is being interviewed, as the interpreter or interpreters come into the room used for that purpose, the prisoner must stand at attention, and for the first part of the questioning he is not asked to sit down. Later on he is allowed to sit down as a gracious concession. He is treated well, and no attempt is made to threaten him or mistreat him, but the whole attitude, the whole emphasis, is that he is a prisoner and we are his to-be-respected and august enemies and conquerors.

Now for my own standpoint. I think all this is not only unnecessary, but that it acts exactly against what we are trying to do. To emphasize that we are enemies, to emphasize that he is in the presence of his conqueror, etc., puts him psychologically in the position of being on the defensive, and that because he is talking to a most-patient enemy and conqueror he has no right and desire to tell anything. That is most certainly the attitude I should take under similar circumstances, even if I had no especially patriotic scruples against giving information. Let me give a concrete illustration. One of our

5892-4  
(27 May 44)

-4-

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interpreters at a certain base was told that, when a prisoner is to be interviewed, he should be marched in, with military personnel on either side of him; the national flag of the conqueror should be on display, to give the prisoner a sense of the dignity and majesty of the conqueror's country, and that he should stand at attention, etc. In this atmosphere the interpreter, according to instructions, attempted to interrogate the prisoner. The prisoner replied courteously but firmly, "I am a citizen of Japan. As such I will tell you anything you wish to know about my own personal life and the like, but I cannot tell you anything about military matters." In other words, he was made so conscious of his present position and that he was a captured soldier vs. enemy intelligence, that they played right into his hands! Well, that was zero in results. But later this same interpreter took this prisoner and talked with him in a friendly and informal manner, giving him cigarettes and some tea or coffee, with the result that he opened up perfectly naturally and told everything that was wanted, so far as his intelligence and knowledge made information available.

Of course all this dignity emphasis is based on the fear that the prisoner will take advantage of you and your friendship; the same idea as that a foreman must swear at his construction gang in order to get work out of them. Of course there always is the danger that some types will take advantage of your friendliness. This is true in any phase of life, whether you are a teacher, a judge, an athletic trainer, a parent. But there is some risk in any method. But this is where the interpreter's character comes in, that I have so emphasized earlier in this article. You can't fool with a man of real character without eventually getting your fingers burned.

The concrete question comes up, What is one to do with a prisoner who recognizes your friendliness and really appreciates it, yet won't give military information, through conscientious scruples? On Guadalcanal we had a very few like that. One prisoner said to me, "You have been in Japan a long time. You know the Japanese point of view. Therefore you know that I cannot give you any information of military value". (Inwardly I admired him for it, for he said what he should have said, and in the last analysis you cannot do anything about it; that is, if we are pretending to abide by the international regulations regarding prisoners of war, or even the dictates of human decency. I reported this conversation to the head of our MP, a man about as sentimental as a bulldozer machine. He said, much to my surprise, with admiration, "He gave just the right answer. He knows his stuff!")

But even granting all the above, there is something that can be done about this. In the case of a salesman selling goods from door to door, the emphatic "No" of the lady to whom he is trying to sell stockings, aluminum ware, or what-not, should not be the end of the conversation but the beginning ("I have not yet begun to fight!" as it were). As for myself, in such a situation with prisoners, I try to shame them, and have succeeded quite well. I tell them something like this, "You know, you are an interesting kind of person. I've lived in Japan many years. I like the Japanese very much. I have many good friends among the Japanese, men, women, boys, girls. Somehow or other the Japanese always open up to me. I have had most intimate conversations with them about all kinds of problems. I never quite met a person like you, so offish and on your guard." etc. etc. One prisoner seemed hurt. He said,

5892-5  
(27 May 44)

-5-

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R E S T R I C T E D

with surprise and a little pain, "Do you really think I am offish?" Again, I sometimes say, "That is funny, you are not willing to talk to me about these things. Practically all the other prisoners, and we have hundreds of them, do talk. You seem different. I extend to you my friendship; we have treated you well, far better probably than we would be treated, and you don't respond." etc. etc. I tell him that we purposely try to be human. I say to him, "You know perfectly well that if I were a prisoner of the Japanese they wouldn't treat me the way I am treating you" (meaning my general attitude and approach). I then say, "I will show you the way they would act to me," and I stand up and imitate the stern, severe attitude of a Japanese military officer toward an inferior, and the prisoner smiles and even bursts out laughing at the "show" I am putting on, and agrees that that is actually the situation, and what I describe is the truth. Now in all this the interpreter back at one of the bases has a big advantage in one respect: He will have plenty of time for interrogations, and can interview them time and time again, while in many cases, we out at the front must interview them more or less rapidly, and oftentimes only once. But on the other hand, those of us right out at the front have what is sometimes a great advantage: we get absolutely first whack at them, and talk to them when they have not had time to develop a technique of "sales resistance" talk, as it were.

It may be advisable to give one illustration of how, concretely, to question, according to my point of view. Take a question such as this, "Why did you lose this battle?" (a question we asked on more than one occasion regarding some definite battle on Guadalcanal). A question presented in this bare way is a most wooden and uninteresting affair. The interpreter should be given leeway to phrase his own questions, and to elaborate them as he sees fit, as he sizes up the situation and the particular prisoner he may be interviewing. His superior officer should merely give him a statement of the information he wants. A man who is simply a word for word interpreter (in the literal sense) of a superior officer's questions, is, after all, nothing but a verbal cuspidor; the whole proceeding is a rather dreary affair for all concerned, including the prisoner. The conversation, the phrasing of the questions, should be interesting and should capture the prisoner's imagination. To come back to the question above, "Why did you lose this battle?" That was the question put to me to interpret (in the broad sense) to a prisoner who had been captured the day after one of the terrific defeats of the Japanese in the earlier days of the fighting on Guadalcanal. Here is the way I put the question: "We all know how brave the Japanese soldier is. All the world knows and has been startled at the remarkable progress of the Japanese armies in the Far East. Their fortitude, their skill, their bravery are famous all over the world. You captured the Philippines; you captured Hong Kong, you ran right through Malaya and captured the so-called impregnable Singapore; you took Java, and many other places. The success of the Imperial armies has been stupendous and remarkable. But you come to Guadalcanal and run into a stone wall, and are not only defeated but practically annihilated. Why is it?" You see that this is a really built-up question. I wish you could see the interest on the prisoner's face as I am dramatically asking such a question as that. It's like telling a story, and at the end he is interested in telling his part of it.

5892-6  
(27 May 44)

-6-

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There is a problem of what questions to ask a prisoner. What kinds of questions? Of course there are many questions one would like to ask if he had the time, simply for curiosity, such as, What do you think of the war? Do you want to go back to Japan? Can you ever go back to Japan? I have asked these questions more than once when we had time, and discoursed at great length on the philosophy of the Japanese soldier; also on the sneak-punch at Pearl Harbor, getting their point of view of this and that. But of course questions such as these are not often asked by us, for they are more or less what I might term curiosity questions, i.e. questions the answers to which we should like to know just to satisfy our own curiosity, as it were. But usually we do not have time for such questions. A prisoner may be too tired or wounded to question him long, and only vital information is dealt with. Then, too, you can only question a prisoner for so long before he, and you, get stale and more or less tired, and you lose your brilliance and ingenuity. In the case of our own Marine Corps front line Intelligence, with which this particular discussion primarily deals, where we often had our interviews with prisoners out in the open under palm trees interrupted by a bombing raid and such side-shows, we must usually stick to questions dealing with imperative information. In our particular situation on Guadalcanal, here are some questions we nearly always asked, after getting the name, age, rank, and unit, where from in Japan, and previous occupation before entering the armed forces. (The six items mentioned above are more or less statistical. But by rank we can judge the value of the man's replies in many instances. The last question is of value in order to judge how much of a background the man has, which helps one to evaluate his answers. But of course though these questions are routine questions, each one is of value in its own particular way.)

After these six questions are disposed of (and often I do not ask them right away but amble along discussing other things, so that things won't be too stiff) we asked questions such as these: When did you arrive at Guadalcanal? Where did you land? (Very important) How many landed with you? What kind of a ship did you come in? (Don't ask leading questions; don't say, "Did you come on a warship?" Let him say.) Ask the name of the ship. How many troops were on the ship? If, for instance, he says he came on a destroyer, ask how many troops usually travel on a destroyer. (Of course you have many opportunities to check on such a question with other prisoners.) At this point you might ask him if he was sea-sick while on the destroyer. "Did you throw up?" "I've been terribly sea-sick myself a number of times; it's a rotten feeling isn't it?" you can add with deep feeling! (Be sure that you distinguish between crew and troops when you ask him how many troops the destroyer carried. Don't be "fuzzy" in your questions; be clear-cut.) How many other ships were with yours? What kind of ships? Where did you sail from and when? Were there many ships in that harbor? When did you leave Japan? Where were you between the time you left Japan and the time you landed on Guadalcanal? When you landed were any munitions landed? Artillery? Food supplies, medical supplies? After you landed where did you go? Where were you between the time you landed and the time you were captured? What experience in actual combat warfare have you had; your company, battalion or regiment? How is the present food supply in your unit? Sickness? What was the objective of your attack last night? How do you keep in contact with one another in the jungle at night? Of all our methods

5892-7  
(27 May 44)

-7-

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and weapons used against you, what has been the most efficient, the most terrific and deadly? (i.e. We want to know the effectiveness, for example, of our artillery, mortars, trench mortars, machine guns, airplane bombing, airplane strafing, shell fire from the sea, etc. etc. We found out that what we had thought was probably the most devastating and most feared was not what they thought, in some instances.) Of course we always asked about numbers of troops, and in our particular situation we always asked most eagerly about number of artillery pieces and their caliber. We had personal reasons!

Well, many more such questions could be cited, but these are enough to illustrate the immediate nature of the questions and the information desired in the case of our Marine Corps amphibious forces. If the prisoner is an aviator, and we had many such, of course the questions would be quite different. If the prisoner is one of the destroyer crew, for example, the questions would be still different. Our experience was that soldiers seemed far more ready to talk than sailors; aviators talked very readily.

/s/

Sherwood F. Moran,  
SHERWOOD F. MORAN,  
Major, U.S.M.C.R.,  
Japanese Interpreter

OFFICIAL:

/s/ E. J. Buckley  
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5892-8  
(27 May 44)

-8-

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